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Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration
Subchapter G—Regional Agricultural Credit Corporations

PART 95—LOANS—SPECIAL AREAS

WENATCHEE, WASHINGTON BRANCH OFFICE

Amendment of the rules and regulations governing the extension of credit by the Wenatchee, Washington Branch Office.

Whereas by order of the Governor of the Farm Credit Administration promulgated pursuant to section 33, 50 Stat. 717, 12 U.S.C. 1148c, the Regional Agricultural Credit Corporation of Salt Lake City, Utah, will be merged with the Regional Agricultural Credit Corporation of Washington, D. C., effective as of the close of business October 31, 1942, and the Wenatchee Branch Office of the former will continue to operate thereafter as the Wenatchee Branch Office of the latter;

Section 95.1 of Title 6, Code of Federal Regulations, as amended, is further amended, effective as of that date, by substituting "The Wenatchee Branch of the Regional Agricultural Credit Corporation of Washington, D. C.," in place of "The Wenatchee Branch of the Regional Agricultural Credit Corporation of Salt Lake City, Utah."

In all other respects Part 95 of Title 6, Code of Federal Regulations, as amended, will be applicable to the extension of credit by the Wenatchee Branch of the Regional Agricultural Credit Corporation of Washington, D. C.

[SEAL] C. C. JACOBSEN,
Director.

[F. R. Doc. 42-9422; Filed, September 22, 1942; 3:26 p. m.]

¹⁶ F. R. 4485.

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 201—DISCOUNTS FOR AND ADVANCES TO MEMBER BANKS BY FEDERAL RESERVE BANKS

CERTAIN FEDERAL AGENCIES EXCEPTED FROM NEGOTIABILITY REQUIREMENT

Section 201.1 (h) is amended, effective September 18, 1942, by adding at the end thereof the following sentence:

§ 201.1 *Discount of notes, drafts, and bills of member banks.*

(h) *Determination of eligibility.*
* * * The requirement of this section of the regulation that a note, draft or bill of exchange be negotiable shall not be applicable with respect to any note, draft or bill of exchange evidencing a loan which is in whole or in part the subject of a guarantee or commitment by the War Department, Navy Department, or United States Maritime Commission pursuant to Executive Order No. 9112.¹

(Sec. 3, 48 Stat. 163, sec. 3, 40 Stat. 234, 42 Stat. 821, sec. 204, 49 Stat. 703, sec. 11 (i), 38 Stat. 262, sec. 402, 42 Stat. 1473, 1479, 45 Stat. 975, 46 Stat. 162, sec. 403, 42 Stat. 1479, sec. 9, 48 Stat. 180, sec. 16 (a), 48 Stat. 348, sec. 7 (a), 48 Stat. 646, 39 Stat. 753, sec. 5, 40 Stat. 235, 39 Stat. 754, sec. 404, 42 Stat. 1479, sec. 5, 47 Stat. 160, sec. 10, 40 Stat. 239, sec. 505 (b), 48 Stat. 1263; 12 U. S. C. 301, 330, 12 U. S. C., Sup. 347b, 12 U. S. C. 248 (i), 343, 347, 361, 372, 373, 348-349, 351, 352, 374, 371).

[SEAL] BOARD OF GOVERNORS
OF THE FEDERAL
RESERVE SYSTEM.
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-9433; Filed, September 23, 1942; 10:03 a. m.]

¹⁷ F. R. 2367.

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Telephone information: District 0525.

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TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[Public Circular 19.]

AMENDMENT OF GENERAL LICENSES AND GENERAL RULINGS

SEPTEMBER 22, 1942.

Public Circular under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With The Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(1) General License No. 4 is hereby amended by the addition of the following paragraph to the end thereof:

Securities issued or guaranteed by the Government of the United States or any state, territory, district, county, municipality or other political subdivision thereof (including agencies and instrumentalities of the foregoing) need not be sold on a national securities exchange: *Provided*, That such securities are sold at market value and pursuant to all other terms and conditions prescribed in this general license.

(2) General License No. 5 is hereby amended to read as follows:

(1) A general license is hereby granted authorizing the payment from any blocked account to the United States or any agency or instrumentality thereof, or to any state, territory, district, county,

¹ This public circular affects Parts 131 and 132 and appendices to those parts.

municipality, or political subdivision in the United States, of customs duties, taxes, and fees payable thereto by the owner of such blocked account.

(2) Banking institutions within the United States making any single payment in excess of \$1,000, pursuant to the terms of this general license, shall file promptly with the appropriate Federal Reserve Bank a report setting forth the details of such transaction.

(3) General License No. 20 is hereby amended by deleting the second paragraph thereof.

(4) The definition of the term "generally licensed trade area" in paragraph (3) (a) of General License No. 53 is hereby amended in the following respects:

(a) Insert "the Faroe Islands" as a separate item between the item whose text is "the Union of Soviet Socialist Republics" and the item whose text is "the Netherlands West Indies."

(b) Delete "Syria and Lebanon", and in lieu thereof, substitute "(1) Syria and Lebanon; and (2) the New Hebrides Islands".

(5) General License No. 11A and General License No. 77 are hereby revoked.

(6) General Ruling No. 11 is hereby amended in the following respects:

(a) In the definition of "enemy national" in paragraph (2) (a) (i) of such general ruling, delete the words "(Germany, Italy, and Japan) and the Governments of Bulgaria, Hungary, and Rumania", and in lieu thereof, substitute the words "(Germany, Italy, Japan, Bulgaria, Hungary, and Rumania)".

(b) In the definition of "enemy territory" in paragraph (2) (b) (i) of such general ruling, delete the words "and Japan" and in lieu thereof substitute the words "Japan, Bulgaria, Hungary, and Rumania".

(7) General License No. 13 is hereby amended by the deletion of the word "Rangoon" from section (b) of paragraph (1) thereof.

(8) General License No. 66 was amended on December 7, 1941, by deleting sections (d), (e), and (f) thereof.

(9) General License No. 69 was amended on December 7, 1941, by deleting sections (b), (c), and (d) thereof. In view of such amendment, General License No. 69 is hereby amended to read as follows:

A general license is hereby granted licensing as a generally licensed national the San Francisco office of the Bank of Canton.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941; E.O. 8832, July 26, 1941; E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.)

[SEAL]

RANDOLPH PAUL,

Acting Secretary of the Treasury.

[F. R. Doc. 42-9442; Filed, September 23, 1942; 11:01 a. m.]

TITLE 30—MINERAL RESOURCES
Chapter III—Bituminous Coal Division

[Docket No. A-1613]

PART 329—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 9

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 14, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9
FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members—Supplement R*

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

Mine index No.	Produce	Mine	Seam	Freight origin group	Shipping point	Railroad
1368	Barton, B. B.	M. L. Fortney	11	30	Bevier	L&N.
1811	Brown, Noble	Geibel	9	10	Greenville	IC.
1032	Chandler, Stovall & Ragland (Daniel Ragland)	Wilkins No. 2	11	10	Depoy	IC.
1969	Furgerson & Morris (Dell Furgerson)	Pleasant Ridge	9	40	Nortonville ²	L&N-IC.
1686	Hardin & Barnett (Bill Hardin)	Briggs (Wilhite)	9	10	Whitesville	IC.
1648	Manire, B. L.	Manire #3	9	40	Nortonville ²	L&N-IC.
1704	Phillips, Lee	Little Hector	9	40	Owensboro	L&N-IC.
1037	Tapp, Robert	Tapp #2	11	30	Nebo	L&N.
1646	Harris, Henry	Harris	9	30	Bevier ¹	L&N.
1033	West Prong Coal Company c/o E. W. Holt.	West Prong	Stray	10	Beaver Dam	IC.

¹ The f. o. b. mine prices for coal shipped by Mine Index Nos. 368, 811, 1032, 969, 686, 646, 648, 704, 1037 to any market area in any size group and for any use including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Minimum Price Schedule for District No. 9, for All Shipments Except Truck.

² Shipping Point St. Charles, Ky., Freight Origin Group 10 is no longer applicable.

³ Shipping Point DePoy, Ky., Freight Origin Group 10 is no longer applicable.

⁴ The f. o. b. mine prices for coal shipped by Mine Index No. 1033 to any market area for any use, including Railroad Locomotive, for size groups 1 to 4, inclusive, shall be the same as the prices shown for Sentry Coal Mining Co., Sentry Mine, Mine Index No. 72, in Price Schedule No. 1 for District No. 9, for All Shipments Except Truck; for size groups 5 to 29, inclusive, the prices shall be the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Minimum Price Schedule for District No. 9 for All Shipments Except Truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area—Supplement T*

Code member index name	Mine index No.	Mine	Seam	Prices and size group Nos.														
				1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	26, 27	28, 29		
BUTLER COUNTY																		
Deweese, Shirley	1030	Deweese	Stray	235	225	215	175	170	160	160	150	140	110	50	120	115		
West Prong Coal Co. c/o E. W. Holt.	1033	West Prong	Stray	235	225	215	175	170	160	160	150	140	110	50	120	115		
HOPKINS COUNTY																		
Tapp, Robert	1037	Tapp #2	#11	205	195	185	175	170	160	160	150	140	110	50	120	115		
MUELENBERG COUNTY																		
Chandler, Stovall & Ragland (Daniel Ragland)	1032	Wilkins #2	#11	205	195	185	175	170	160	160	150	140	110	50	120	115		

[F. R. Doc. 42-9404; Filed, September 22, 1942; 12:42 p. m.]

[Docket No. A-1533]

PART 335—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting additional temporary relief and conditionally providing for additional final relief in the matter of the petition

of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party requesting the establishment, both temporary and per-

manent, of price classifications and minimum prices for the coals of certain mines in District No. 15.

A reasonable showing of necessity having been made for the granting of the relief prayed for by the petitioner, an Order Granting Temporary Relief and Conditionally Providing for Final Relief was issued in this matter on August 22, 1942, 7 F.R. 6931. However, certain price classifications and minimum prices proposed by petitioner for coals in Size Group 13 produced in Production Group 4 in District No. 15 were inadvertently omitted from the above-mentioned Order. Petitioner requests that the minimum prices proposed for coals in Size Group 13 be made subject to the final determinations in Docket No. A-1497 and General Docket No. 21. The final order was issued in Docket No. A-1497 on July 29, 1942, 7 F.R. 6253, granting the minimum price revisions prayed for in the original petition in that matter. Accordingly, the minimum prices set forth in the attached schedule marked Supplement R-II for coals in Size Group 13 for shipment by rail to Market Areas 75 and 78 have been increased in amounts sufficient to maintain the established price relationship with coals in other size groups produced in Production Group 4 in District No. 15. The minimum prices established herein for coals in Size Group 13 in Production Group 4 in District No. 15 are likewise subject to appropriate order in General Docket No. 21.

Now, therefore, it is ordered, That pending final disposition of the above-entitled matter temporary relief is granted as follows: Commencing forthwith, § 335.6 (*Schedule of delivered differentials*) is amended by adding thereto Supplement R-I, and § 335.7 (*General prices; domestic, commercial and industrial coal schedule*) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4

II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

§ 335.6 *Schedule of delivered differentials*—Supplement R-I. Section 335.6 of Minimum Price Schedule for District No. 15 for All Shipments Except Truck shall be amended by adding thereto the following:

From product group	Base group	Domestic and commercial size group 13 washed screenings	Industrial size group 13 washed screenings
No. 4...	(No. 1 as Base... No. 2 as Base... No. 3 as Base...)	-30 -15 -15	-30 -15 -15

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Supplement R-II. Section 335.7 of Minimum Price Schedule for District No. 15 for All Shipments Except Truck shall be amended by adding thereto the following:

Section No. in minimum price schedule	To market area No.	From production group No.	Domestic and commercial size group 13 washed screenings	Industrial size group 13 washed screenings
§ 335.7	69	4	190	180
§ 335.7	70	4	185	185
§ 335.7	72-73	4	220	220
§ 335.7	75	4	208	175
§ 335.7	78	4	189	(*)
§ 335.7	208-210 and 211	4	175	145
§ 335.7	209	4	183	150

*Previously classified. No change requested.

[F. R. Doc. 42-9405; Filed, September 22, 1942; 12:43 p. m.]

[Docket No. A-1592]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 335.8 (*Special prices*—(a) *Oklahoma "smithing coal" from Production Group No. 12*) is amended by adding thereto Supplement R-II, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

Subchapter B—Director General
for Operations

TITLE 32—NATIONAL DEFENSE
Chapter VI—Selective Service System
[Order No. 58]

DELAWARE STATE HOSPITAL PROJECT
DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Delaware State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 58. Said project, located at Farnhurst, New Castle County, Delaware, will be the base of operations for work at the Delaware State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Delaware State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent of the Delaware State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Delaware State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 18, 1942.

[F. R. Doc. 42-9407; Filed, September 22, 1942;
1:46 p. m.]

Chapter IX—War Production Board
Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY
[Amendment of Directive No. 7]

COMMODITY CREDIT CORPORATION

AUTHORITY OVER VEGETABLE OIL SEEDS

Paragraph (d) of § 903.12 (Directive No. 7¹), issued the 15th day of August, 1942, is hereby amended to read as follows:

(d) Nothing herein contained shall be construed to limit or modify any order

¹ 7 F.R. 6518.

or directive heretofore issued by the Director of Priorities of the Office of Production Management, or the Director of Industry Operations of the War Production Board, or the Director General for Operations of the War Production Board, or the Board of Economic Warfare, nor to delegate to Commodity Credit Corporation the power to extend, amend, or modify any such order or directive, nor to terminate or limit the power of the Director General for Operations to issue future orders regulating transactions in vegetable oil seeds and oilseed products. The authority hereby delegated shall be exercised in conformity with any such order or directive heretofore or hereafter issued.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22nd day of September 1942.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 42-9430; Filed, September 22, 1942;
4:59 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13 as Amended to September 23, 1942]

SPECIAL SALES OF IDLE OR FROZEN MATERIALS

§ 944.34 *Priorities Regulation 13*¹—
(a) *Purpose.* The purpose of this regulation is to provide uniform rules governing special sales of idle or excess materials by persons who are not regularly engaged in the business of selling such materials, including distress and liquidation sales and sales by persons who, by reason of the effect of priority orders or for other reasons, cannot use such materials in the regular course of their business. This regulation does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation.

(b) *Definitions:* For the purposes of this regulation:

(1) "Sale" of a material includes any public or private sale, auction sale, sale upon foreclosure of any lien or mortgage, or delivery of such material in exchange for money or for any other material and the sale of any warehouse receipt, bill of lading or other document evidencing an interest in such material, but does not include the pledge or mortgage or other creation of any lien upon such material or the transfer of possession of such material without any transfer of title.

(2) "Special sale" means any sale except that:

¹ 7 F.R. 5167, 5604.

(i) A sale of any material by any person who regularly in the course of his business sells such material in the same form is not a special sale. For the purpose of this subparagraph, the following classes of sales shall not be deemed to be made by a person who regularly sells material in the course of his business: a sale by any receiver, trustee in bankruptcy, public official or other person acting in a fiduciary or representative capacity (except when made in the course of carrying on the business of an insolvent or bankrupt person or other person whose business is in the hands of such fiduciary or representatives), or any other sale made in the course of liquidating a business or the assets of a business;

(ii) A sale of any material which is being rationed at the retail level by the Office of Price Administration or any other governmental agency is not a special sale;

(iii) A sale of any tool, machinery, or other assembled commercial, industrial, production, agricultural, or household equipment is not a special sale;

(iv) A sale of material which is in the form in which it is used by ultimate consumers thereof and which does not require, in order to be so used, to be further processed or assembled with other materials or made part of a building or other structure is not a special sale;

(v) A sale of foodstuffs, medicines, and other materials for internal human consumption is not a special sale.

(3) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(4) "War material" means any material consisting in whole or in substantial part of one or more materials listed in Schedule A attached.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) "Single lot" of material means all material of the same size and specification at the same location.

(7) "Director" means the Director General for Operations or the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management.

(c) *Permitted special sales.* (1) Subject to paragraph (e) of this regulation, any person may make a special sale of any material other than a war material without restriction.

(2) Subject to paragraph (e) of this regulation, any person may make a special sale of any war material if the sale falls within one of the following categories, and no person may make any special sale of any war material if such sale does not fall within one of the following categories:

(i) A sale to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy Department, War Department, Board of Economic Warfare, Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended; or

(ii) A sale pursuant to a specific authorization of the Director naming the seller and identifying the particular sale to be made; or

(iii) A sale of a single lot of war material (other than a war material listed in Schedule B attached) at an aggregate price of less than \$100. This exception does not permit the dividing of a single lot having a value of over \$100 into smaller lots and selling such smaller lots for less than \$100 under this subparagraph.

(iv) A sale to any person falling within a class indicated on Schedule A attached as being a class to whom the particular war material may be sold: *Provided*, That when any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one war material, the sale shall be made only to a person to whom all such contained war materials may be sold. A sale of a plated item shall be governed by the basic material, disregarding the plating.

(3) In addition to the provisions of paragraph (c) (2) above, any person may, subject to paragraph (e) of this regulation, make a special sale of any war material to another person engaged in the same business as the seller if an order or other action of the Director applicable generally to persons engaged in such business expressly permits such a sale.

(d) *Intra-company transfers.* Any person may transfer, otherwise than by sale, any material to another department, branch division or section of his business or to a wholly owned subsidiary or affiliate or to another person under common ownership or control, provided such transfer would be a special sale if made for a consideration and such special sale would have been permitted under this regulation.

(e) *Effect on other orders and regulations.* (1) Any sale which is not a special sale shall remain subject to the provisions of all applicable orders and regulations.

(2) The provisions of this regulation shall control all special sales although inconsistent with any order or regulation of the Director heretofore issued and although inconsistent with any order or regulation of the Director hereafter issued unless such order or regulation expressly provides to the contrary. Notwithstanding any provision of any such order or regulation which permits such sale, no special sale shall be made if forbidden by the provisions of this regulation; and any special sale permitted by the provisions of this regulation may be made, and deliveries thereunder accepted by the buyer, despite any provision of any such order or regulation forbidding the same except that:

(i) Nothing in this regulation shall affect any provision contained in any order or regulation of the Director which imposes any quota or other limitation on the amount any buyer may purchase, receive or produce, or which imposes any limitations on the amount of inventory of any person or any restrictions upon the use of any material; and

(ii) This regulation shall not affect any provision of any applicable order or regulation of the Director requiring a buyer to make any reports or to furnish any information in connection with a purchase; and

(iii) No seller shall make any special sale if he knows or has reason to believe that the purchase or acceptance or delivery by the buyer would violate any inventory or quota restrictions imposed on the buyer by any order or regulation or that the buyer is acquiring the material for a use which would be in violation of any order or regulation.

(f) *Records.* Any person making any special sale must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such sale. Such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be

readily segregated and made available for such inspection.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of September 1942.

ERNEST KANZLER,

Director General for Operations.

SCHEDULE A

Explanatory Note: This schedule relates only to special sales made under paragraph (c) (2) (iv) of this regulation. Any purchaser of material through a special sale must comply with all inventory, quota, and use restrictions imposed by all other orders and regulations.

When an alloyed material, or a physically or chemically compounded material, is shown in this table, the conditions that govern the sale of the alloyed or compounded material are those shown for the alloy or compound and not those shown for the constituent elements or parts. For example, the conditions under which stainless steel may be sold are those shown for the war material "Stainless Steel" and not those shown for "Chromium" or "Nickel" or "Steel". When any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one war material, the sale shall be made only to a person to whom all such contained war materials may be sold. Plated items are governed by the basic material, disregarding the plating.

The word "No" appearing in any column in this schedule means that a holder may not sell the particular war material to any person in the class to which that column applies unless the sale is otherwise permitted by this regulation.

The letters "PR" mean Preference Rating, and wherever they appear in any column, mean that the holder may sell the particular war material to any person in the class to which that column applies, but *only* provided that such person places with the holder an order for the material bearing a duly applied or extended preference rating equal to or higher than the rating shown immediately after the letters "PR". For example, "PR A-1-k", which appears opposite the war material "Nickel" in the column headed "Users permitted to buy for an authorized use" means that the holder may sell to any user who places an order for a product containing nickel if that order bears a duly applied or extended preference rating of A-1-k or higher.

The letters "W. O. P." mean "Without Preference Rating" and wherever they appear in any column mean that the holder may sell

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the particular material to any person in the class to which that column applies without any preference rating from the buyer.

The letter "X" means "not applicable". Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS						
Alloy steel (see Steels). Aluminum: Aluminum.....	W.O.P.	No.....	W.O.P.*	W.O.P.*	No.....	*Only to approved reprocessors and wholesale dealers. Lists available at WPB offices.
Powder as pigment*..	W.O.P.	No.....	X.....	W.O.P.	W.O.P.	*When used for paste or paint.
Paint (see Paint). Scrap*.....	W.O.P.	No.....	W.O.P.**	X.....	W.O.P.	*Subject to limitations in M-1-d on sale of certain segregated scrap. **Only to approved reprocessors. Lists available at WPB offices.
Antimony: Antimony.....	W.O.P.	No.....	No.....	W.O.P.	No.....	
Chemicals (see Chemicals). Antimonial lead (see Lead). Scrap.....	W.O.P.	No.....	W.O.P.	X.....	W.O.P.	
Babbitt (see Tin). Beryllium (including scrap).	W.O.P.	No.....	No.....	W.O.P.	W.O.P.*	*Only when sold as scrap.
Brass (see Copper). Brass mill scrap (see Copper). Brass and wire mill products (see Copper). Bronze (see Copper). Cadmium: Cadmium.....	W.O.P.	No.....	No.....	W.O.P.	No.....	
Chemicals (see Chemicals). Scrap.....	W.O.P.	No.....	No.....	X.....	W.O.P.	
Carbon steel (see Steels). Cast iron products (see Iron). Chromium: Chromium.....	W.O.P.	No.....	X.....	W.O.P.	No.....	
Chemicals (see Chemicals). Scrap.....	W.O.P.	PR A-1-k.	W.O.P.	X.....	W.O.P.	
Cobalt: Cobalt (including scrap). Chemicals (see Chemicals).	W.O.P.	No.....	X.....	W.O.P.	W.O.P.*	*Only when sold as scrap.
Copper: Copper ingots and refinery shapes. Copper base alloy ingots (40% or more copper by weight). Brass & wire mill products.	W.O.P.	No.....	X.....	W.O.P.*	No.....	*Only to persons holding allocation certificates or specific authorization to buy.
	W.O.P.	No.....	X.....	W.O.P.*	No.....	This note applies only to places where asterisk appears.
	W.O.P.	PR A-1-a.	X.....	W.O.P.*	No.....	

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (c) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS—CON.						
Copper—Continued.						
Insulated wire.	W.O.P.	PR A-1-a.	X	W.O.P.	No.	
Copper & copper base alloy foundry products.	W.O.P.	PR A-1-a.	X	W.O.P.*	No.	
Brass mill scrap.	W.O.P.**	No.	X	X	W.O.P.	**Only to brass mills.
Other scrap.	W.O.P.*	No.	X	X	W.O.P.	
Copper chemicals (see chemicals).						
Electrical resistance material*.	W.O.P.	No.	X	No.	No.	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. **May be sold as provided for principal non-ferrous element.
Ferroalloys*.						
Inconel (see Nickel).						
Iridium (including scrap).	W.O.P.	W.O.P.*	W.O.P.	W.O.P.	W.O.P.**	*Cannot be used for jewelry. **Only when sold as scrap.
Iron:						
Alloy iron castings*.	W.O.P.	PR A-1-k.	W.O.P.	X	W.O.P.	*Does not include materials commonly known as "ferro-alloys", listed in Priorities Regulation No. 11 as "ferro-alloying agents".
Pig iron.	W.O.P.	No.	No.	No.	No.	
Wrought iron.	W.O.P.	PR A-9.	W.O.P.	W.O.P.	No.	
Cast iron products.	W.O.P.	PR A-9.	W.O.P.	W.O.P.	No.	
Alloy iron scrap.	W.O.P.	No.	W.O.P.	X	W.O.P.	
Other iron scrap.	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Lead:						
Lead.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	No.	
Antimonial lead.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	No.	
Scrap.	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Magnesium (including scrap).	W.O.P.*	No.	W.O.P.*	W.O.P.	No.	*Only to approved reproprocessors. Lists available at WPB offices.
Mercury:						
Mercury.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Mercury chemicals (see Chemicals).						
Molybdenum:						
Molybdenum (including scrap).	W.O.P.	No.	No.	W.O.P.	W.O.P.*	*Only when sold as scrap.
Monel (see Nickel).						
Nickel:						
Nickel (including Monel and inconel).	W.O.P.	PR A-1-k.	No.	W.O.P.	No.	
Solutions and salts (see Chemicals).						
Scrap.	W.O.P.	PRA-1-k.	W.O.P.	X	W.O.P.	
Nickel steel (see Steels).						
Pig iron (see Iron).						
Platinum:						
Platinum (including scrap).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Rhodium (including scrap).	W.O.P.	W.O.P.*	W.O.P.	W.O.P.	W.O.P.**	*Cannot be used for jewelry. **Only when sold as scrap.
Silver:						
Silver.	W.O.P.	PR A-3.	W.O.P.	W.O.P.	W.O.P.	
Solder.	W.O.P.	PR A-9.	W.O.P.	W.O.P.	W.O.P.	
Stainless steel (see Steels).						
Steels:						
Carbon steel in any single lot of over 5 short tons.*	W.O.P.	PR AA-2x.	No.	PR AA-2x.	No.	*Any holder who has a single lot of more than 5 tons may not sell any part of the lot except in accordance with conditions applying to the whole lot.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS—Con.						
Carbon steel in any single lot of 5 short tons or less:						
Plates*	W.O.P.	PR A-1-a.	No.	W.O.P.	No.	*As defined in M-21-c.
Rails	No.	No.	No.	No.	No.	
Structural	W.O.P.	PR A-1-a.	No.	W.O.P.	No.	
Carbon tool steel	W.O.P.	PR A-1-a.	No.	W.O.P.	No.	
Bookbinding and stapling wire	W.O.P.	PR A-1-k.	W.O.P.	PR A-1-k.	W.O.P.*	*Only when sold as scrap.
Tin mill black plate	W.O.P.	PR A-10.	W.O.P.	W.O.P.	No.	
Other carbon steel	W.O.P.	PR A-1-a.	No.	W.O.P.	No.	
Carbon steel scrap in any quantity	W.O.P.	W.O.P.	W.O.P.	X.	W.O.P.	
Alloy steel* in any single lot of over 2,000 pounds.**	W.O.P.	PRAA-2x.	No.	PR AA-2x.	No.	*As defined in M-21-a.
Alloy steel* in any single lot of 2,000 pounds or less.	W.O.P.	PR A-1-a.	W.O.P.	W.O.P.	No.	**Any holder who has a single lot of more than 2,000 pounds may not sell any part of the lot except in accordance with conditions applying to the whole lot.
Alloy steel scrap in any quantity.	W.O.P.	No.	No.	X.	W.O.P.	
Tantalum (including scrap)	No.	No.	X.	No.	No.	
Terne plate	W.O.P.	PR A-10.	W.O.P.	W.O.P.	No.	
Terne plate scrap	W.O.P.	No.	W.O.P.	X.	W.O.P.	
Tin:						
Tin	No.	No.	No.	No.	No.	
Babbitt	W.O.P.	PR A-9.	W.O.P.	W.O.P.	W.O.P.	
Tin solder (see Solder).						
Chemicals (see Chemicals).						
Foil	W.O.P.	W.O.P.	No.	W.O.P.	No.	
Scrap	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Tin mill black plate (see Steels).						
Tin plate	W.O.P.	PR A-10.	W.O.P.	W.O.P.	No.	
Tin plate scrap	W.O.P.	No.	W.O.P.	X.	W.O.P.*	*Subject to limitations of M-24-a.
Tool steel (see Steels).						
Tungsten:						
Tungsten (including scrap).	W.O.P.	No.	No.	W.O.P.	W.O.P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Vanadium:						
Vanadium (including scrap).	W.O.P.	No.	No.	W.O.P.	W.O.P.*	*Only when sold as scrap.
Welding rods and electrodes.	W.O.P.	PR A-1-a.	X.	W.O.P.	X.	
Wrought iron (see Iron).						
Zinc:						
Zinc	W.O.P.	PR A-9.	W.O.P.	W.O.P.	No.	
Sulphide chemicals (see Chemicals).						
Dust	W.O.P.	PR A-9.	W.O.P.	W.O.P.	W.O.P.	
Scrap	W.O.P.	W.O.P.	W.O.P.	X.	W.O.P.	
PART II—CHEMICALS						
Acetic anhydride	W.O.P.	W.O.P.	X.	W.O.P.	X.	
Acids:						
Acetic	W.O.P.	W.O.P.	X.	W.O.P.	X.	
Arsenious	W.O.P.	No.	X.	W.O.P.	X.	
Naphthenic	W.O.P.	No.	X.	W.O.P.	X.	
Nitric (including mixed).	W.O.P.	W.O.P.	W.O.P.	X.	X.	
Tannic USP	W.O.P.	No.	X.	W.O.P.	X.	
Acrylonitrile	W.O.P.	No.	X.	W.O.P.	X.	
Alcohols:						
Butyl*	W.O.P.	No.	X.	W.O.P.	X.	*Includes Isobutyl.
Capryl	W.O.P.	No.	X.	W.O.P.	X.	
Ethyl* (100 proof and higher).	W.O.P.	PR A-1-k.	X.	W.O.P.	X.	*Includes related compounds; see M-30.
Isopropyl.	W.O.P.	No.	X.	W.O.P.	X.	
Methyl (methanol).	W.O.P.	W.O.P.	X.	W.O.P.	X.	
Ammonia:						
By-product ammonia*	W.O.P.	No.	X.	W.O.P.	X.	*Includes salts and solutions.
Sulphate of ammonia*	W.O.P.	No.	X.	W.O.P.	X.	*Containing 20.5 percent nitrogen or less.
Synthetic ammonia*.	W.O.P.	No.	X.	W.O.P.	X.	*Includes compounds.
Aniline and salts	W.O.P.	No.	X.	W.O.P.	X.	
Antimony chemicals	W.O.P.	W.O.P.	X.	W.O.P.	X.	

Wherever an asterisk (*) appears, refer to the note in "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (c) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART II—CHEMICALS—Continued						
Aromatic petroleum solvents.*	W.O.P.	PR A-2	X	W.O.P.	X	*As defined in M-150.
Babassu oil (see Oils).	W.O.P.	No.	X	W.O.P.	X	
Benzene	W.O.P.	No.	X	W.O.P.	X	
Beryllium chemicals	No.	No.	No.	No.	No.	
Butadiene	W.O.P.	No.	X	W.O.P.	X	
Butyl alcohol (see Alcohols).	W.O.P.	No.	X	W.O.P.	X	
Cadmium chemicals	W.O.P.	No.	No.	W.O.P.	X	
Calcium-silicon	W.O.P.	No.	No.	W.O.P.	X	
Cashew nut shell oil (see Oils).	W.O.P.	No.	X	W.O.P.	X	
Chemical cotton pulp	W.O.P.	No.	X	W.O.P.	X	
Chlorate chemicals	W.O.P.	No.	X	W.O.P.	X	
Chlorine	W.O.P.	No.	X	W.O.P.	X	
Chlorinated hydrocarbon refrigerants.	W.O.P.	No.	X	W.O.P.	X	
Chlorinated hydrocarbon solvents.*	W.O.P.	PR A-10.	W.O.P.	W.O.P.	X	*Carbon tetrachloride, chloroethylene, perchloroethylene, and ethylene dichloride.
Chlorinated rubber (see Rubber).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Chromium chemicals	W.O.P.	No.	X	W.O.P.	X	
Cobalt chemicals	W.O.P.	No.	X	W.O.P.	X	
Coconut oil (see Oils).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Copper chemicals	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Cotton pulp, chemical (see Chemical cotton pulp).	W.O.P.	No.	X	W.O.P.	X	
Cyanamid	No.	No.	No.	No.	X	
Dichloroethyl ether	W.O.P.	No.	No.	W.O.P.	X	
Diphenylamine	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Dyestuffs (controlled by M-103).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Ethyl acetate	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Ethyl cellulose	W.O.P.	W.O.P.	X	W.O.P.	X	
Formaldehyde (see Resins).	W.O.P.	No.	X	W.O.P.	X	
Furfural	W.O.P.	No.	X	W.O.P.	X	
Glycerine	W.O.P.	No.	X	W.O.P.	X	
Glycols	W.O.P.	W.O.P.	X	W.O.P.	X	
Hexamethylene tetramine (see Resins).	W.O.P.	W.O.P.	X	W.O.P.	X	
High lauric acid oils (see Oils).	W.O.P.	W.O.P.	No.	W.O.P.	X	
Lithium compounds	W.O.P.	W.O.P.	X	W.O.P.	X	
Mercury chemicals	W.O.P.	W.O.P.	X	W.O.P.	X	
Methanol (see Alcohols).	W.O.P.	No.	X	W.O.P.	X	
Methyl ethyl ketone	W.O.P.	No.	X	W.O.P.	X	
Naphthalene	W.O.P.	No.	X	W.O.P.	X	
Naphthenates	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Naphthenic acid (see Acids).	W.O.P.	PR A-1-k.	W.O.P.	W.O.P.	X	
Nickel solutions and nickel salts.	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Nitrocellulose, soluble	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Oils:						
Cashew nut shell	W.O.P.	PR A-2	X	W.O.P.	X	
High lauric acid* (coconut, babassu, palm kernel, etc.).	W.O.P.	W.O.P.	X	W.O.P.	X	*Lauric acid content of 35% and over.
Palm	W.O.P.	W.O.P.	X	W.O.P.	X	
Rapeseed	W.O.P.	W.O.P.	X	W.O.P.	X	
Sperm	W.O.P.	No.	X	W.O.P.	X	
Tung and oiticica	W.O.P.	PR A-2	X	W.O.P.	X	
Oiticica oil (see Oils).						
Palm kernel oil (see Oils).						
Palm oil (see Oils).						
Paraffin, chlorinated	W.O.P.	W.O.P.	No.	W.O.P.	X	
Paraformaldehyde (see Resins).	W.O.P.	W.O.P.	No.	W.O.P.	X	
Perchlorate chemicals (see Chlorate chemicals).	W.O.P.	No.	No.	W.O.P.	X	
Phenols	W.O.P.	No.	No.	W.O.P.	X	
Phosphorous	W.O.P.	W.O.P.	No.	W.O.P.	X	
Phthalic anhydride	W.O.P.	W.O.P.	X	W.O.P.	X	
Plasticisers:						
Phosphate	W.O.P.	W.O.P.	X	W.O.P.	X	
Phthalate	W.O.P.	W.O.P.	X	W.O.P.	X	

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART II—CHEMICALS—Continued						
Plastics:						
Unpolymerized—						
Heat reactive synthetic resins and compounds in primary forms.	W.O.P.	W.O.P.	X	W.O.P.	X	
Polymerized—						
Laminated or cast phenolic condensation products in sheet, tube or rod form.	W.O.P.	W.O.P.	X	W.O.P.	X	
Thermoplastics—						
Polymers of the esters of acrylic and methacrylic acid.	W.O.P.	PR A-1-a	X	W.O.P.	No.	
Platinum chemicals	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Polyvinyl chloride	W.O.P.	No.	X	W.O.P.	X	
Potash salts	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Pyrethrum	W.O.P.	No.	No.	W.O.P.	X	
Pyridine	W.O.P.	No.	No.	W.O.P.	X	
Rapeseed oil (see Oils).						
Resins:						
Natural	W.O.P.	W.O.P.	X	W.O.P.	X	
Synthetic (and formaldehyde, paraformaldehyde, hexamethylene-tetramine).	W.O.P.	W.O.P.	X	W.O.P.	X	
Rotenone	W.O.P.	W.O.P.	X	W.O.P.	X	
Rubber, synthetic (see Rubber).						
Rutile (see Titanium pigments).						
Shellac*	No.	No.	X	No.	X	*Does not include lac which has been bleached, cut, or incorporated in protective or other coatings.
Silica gel	W.O.P.	W.O.P.	X	W.O.P.	X	
Sodium nitrate	W.O.P.	W.O.P.	X	W.O.P.	X	
Sperm oil (see Oils).						
Synthetic resins (see Resins).						
Synthetic rubber (see Rubber).						
Tantalum chemicals	No.	No.	X	No.	X	
Tin chemicals	W.O.P.	No.	X	W.O.P.	X	
Titanium pigments	W.O.P.	No.	X	W.O.P.	X	
Toluene (toluol)*	No.	No.	No.	No.	X	*As defined in M-34, Amendment 1.
Tung oil (see Oils).						
Tungsten chemicals	W.O.P.	No.	X	W.O.P.	X	
Vanadium chemicals	W.O.P.	No.	X	W.O.P.	X	
Vat dyes (see Dyestuffs).						
Zinc sulphide pigments	W.O.P.	W.O.P.	X	W.O.P.	X	
PART III—MISCELLANEOUS						
Agave fibre:						
Suitable for cordage	W.O.P.	No.	X	W.O.P.	No.	
Not suitable for cordage.	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.*	*Only when sold as scrap.
Binder twine*	W.O.P.	No.	X	W.O.P.**	W.O.P.***	**Sale permitted to any person for agricultural purpose. ***For resale for agricultural purpose. ***Only when sold as scrap.
Wrapping twine	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.*	*Only when sold as scrap.
Asbestos:						
Long fibre suitable for spinning or imported from South Africa.	W.O.P.	W.O.P.	X	W.O.P.	X	
All other	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.*	*Only when sold as scrap.
Asbestos textiles	W.O.P.	PR A-10.	X	W.O.P.	W.O.P.*	*Only when sold as scrap.
Balata	No.	No.	No.	No.	X	
Balsa	W.O.P.	PR A-5.	W.O.P.	W.O.P.	W.O.P.	
Blood-soluble	No.	No.	No.	No.	No.	
Blood-adhesives	No.	No.	No.	No.	No.	

Wherever an asterisk (*) appears, refer to the note in the "remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART III—MISCELLANEOUS—Continued						
Binder twine (see Agave fibre).						
Bristles, pigs' and hogs' (two inches and over).*	W.O.P.	PR A-10	W.O.P.	W.O.P.	W.O.P.**	*New or reclaimed. **Only when sold as scrap.
Burlap and new bags.	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.**	*As defined in M-47, other Burlap same as Jute Products. **Only when sold as scrap.
Cattle tail hair.	W.O.P.	PR A-2	W.O.P.	W.O.P.	X	
Cork:						
Unmanufactured	W.O.P.	No	X	W.O.P.	No	
Manufactured and byproduct cork.	W.O.P.	No	No	W.O.P.	No	
Corundum*	W.O.P.	No	No	W.O.P.	No	*Emery, ruby, and sapphire not included.
Cotton duck (see Duck).	W.O.P.	PR A-9	X	W.O.P.	No	*As defined in M-197.
Cotton, American extra staple.*	W.O.P.	PR A-9	X	W.O.P.	No	*As defined in M-117.
Cotton, Egyptian*	W.O.P.	PR A-9	X	W.O.P.	No	*As defined in M-117.
Cotton linters*	W.O.P.	No	X	W.O.P.	X	*Of chemical grade, including all produced after Aug. 1, 1942.
Cottonseed, SXP*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	*Subject to restrictions in M-92.
Diamonds, industrial*	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.**	*Report sales as required by M-109. **Only when sold as scrap.
Duck, cotton*	W.O.P.	PR A-1-k	X	W.O.P.	W.O.P.**	*Widths 13" to 87". **Only when sold as scrap.
Frits.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Goose and duck feathers.	W.O.P.*	No	W.O.P.	No	W.O.P.**	*Only to original producer. **Only when sold as scrap.
Graphite, Madagascar flake*.	X	No	No	No	X	*Of Madagascar origin that will stand on a 35-mesh screen.
Hemp seeds*	W.O.P.	No	X	W.O.P.	X	*May be sold to person growing hemp.
Hemp, sunn*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	*As defined in M-187.
Horsehide*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.**	*Restricted to military uses. **Only when sold as scrap.
Istle.	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Jewel bearing material*	W.O.P.	No	No	No	No	*Does not include processed jewel bearing's.
Jute:						
Raw jute	W.O.P.	W.O.P.	X	W.O.P.	No	
Jute products*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	*As defined in M-70.
Kapok*	W.O.P.	No	X	W.O.P.	W.O.P.**	*Except that grown in South or Central America. **Only when sold as scrap.
Kyanite, indian, crude and calcined*.	W.O.P.	No	X	No	No	*Also includes andalusite and sillimanite.
Lacquers (see Paint).	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Leather, imitation.	W.O.P.	W.O.P.	No	W.O.P.	W.O.P.**	*Restricted to military uses. **Only when sold as scrap.
Leather,* sole.	W.O.P.	W.O.P.	No	W.O.P.	W.O.P.**	*Restricted to military uses. **Only when sold as scrap.
Loofa sponges.	W.O.P.	PR A-1-a	X	W.O.P.	X	
Mahogany:						
Pattern stock.	W.O.P.	PR A-10	X	W.O.P.	No	
Other than pattern stock.	W.O.P.	PR A-2	X	W.O.P.	No	
Manila fibre and cordage:*						
Cordage.	W.O.P.	PR A-1-k	No	PR A-1-k	No	*As defined in M-36 as amended.
Fibre.	W.O.P.	W.O.P.	No	No	No	
Mica:						
Strategic.	W.O.P.	W.O.P.	X	W.O.P.	No	
Splittings.	W.O.P.	W.O.P.	X	W.O.P.	No	
Nutgalls.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
OD wool clips, rags and waste (see Wool).						
Paint, aluminum.	W.O.P.	No	No	W.O.P.	No	
Paints, varnishes, lacquers and other protective coatings (except aluminum paint).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Phosphate rock.	W.O.P.	W.O.P.	X	W.O.P.	X	

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART III—MISCELLANEOUS—Continued						
Quartz crystals*	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	*Report sales as required by M-146.
Rubber:						
Latex and crude	No.	No.	No.	No.	No.	
Compounded latex	No.	No.	No.	No.	No.	
Chlorinated	W.O.P.	No.	No.	No.	No.	
Synthetic	W.O.P.	No.	No.	No.	No.	
Reclaimed	No.	No.	No.	No.	No.	
Scrap	No.	No.	No.	X	W.O.P.*	*Only when sold as scrap.
Rubber products:						
Cement	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Yarn, elastic thread and fabrics	No.	No.	X	No.	W.O.P.*	*Only when sold as scrap.
Other products	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Silk:						
Raw	X	No.	X	No.	No.	
Waste, noils,* etc.	X	PR A-10	X	No.	No.	*As defined in M-26.
Used hosiery*	No.	No.	No.	W.O.P.	No.	*Restricted to military uses.
Sitka spruce logs	No.	No.	No.	No.	X	
Sole leather (see Leather)						
Teak	W.O.P.	PR A-2	X	W.O.P.	X	
Varnishes (see Paints)						
Wood pulp	W.O.P.	No.	X	W.O.P.	X	
Wool:						
Wool	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.*	*Only when sold as scrap.
OD clips	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
OD rags and waste	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Wrapping twine (see Agave Fibre)						

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

SCHEDULE B

This schedule lists those war materials which are excluded from paragraph (c) (2) (iii). Sales may be made only in accordance with paragraphs (c) (2) (i), (ii), (iv) and (c) (3).

Electrical Resistance Material (material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat)
Raw silk.

[F. R. Doc. 42-9447; Filed, September 23, 1942; 11:20 a. m.]

PART 3080—CHEMICAL FERTILIZERS

[Amendment 1 to Conservation Order M-231]

Section 3080.1 *Conservation Order M-231*¹ is hereby amended in the following respects:

1. By adding a new subdivision to paragraph (c) (2) of said section, designated subdivision (v) as follows:

(v) Deliveries by fertilizer manufacturers, dealers or agents of any chemical fertilizer, including chemical fertilizer containing chemical nitrogen, for use on new plantings of grass on airports or airfields of the United States Army, Navy or Coast Guard or to the use by any person of any chemical fertilizer, including chemical fertilizer containing chemical

¹ 7 F.R. 7234.

nitrogen, delivered pursuant to this paragraph (c) (2) (v).

2. By changing the grade "0-20-20" listed under Arkansas on Schedule A of said section to "0-10-20".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9448; Filed, September 23, 1942; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1335—CHEMICALS

[Amendment 1 to Revised Price Schedule 104¹]

VITAMIN C

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 1403, 1836, 2132.

Paragraph (a) of § 1335.905 is amended and new §§ 1335.905a and 1335.908a are added, all to read as set forth below:

§ 1335.905 Enforcement. (a) Persons violating any provision of this Revised Price Schedule No. 104 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942. * * *

§ 1335.905a Licensing. (a) The provisions of Supplementary Order No. 11, licensing distributors of chemicals and drugs, are applicable to every distributor selling vitamin C for which maximum prices are established by Appendix A (§ 1335.909). The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail vitamin C for which maximum prices are established by Appendix A (§ 1335.909). The term "selling at retail" shall have the meaning given it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1335.908a Effective dates of amendments. (a) Amendment No. 1 (§§ 1335.905 (a), 1335.905a and 1335.908a) to Revised Price Schedule No. 104 shall become effective September 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9413; Filed, September 22, 1942; 2:20 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 2 to Maximum Price Regulation 185¹]

CANNED FRUITS AND CANNED BERRIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (vi) of § 1341.102 (b) (2) is hereby amended and a new paragraph (b) is added to § 1341.114, as set forth below:

§ 1341.102 *Canner's maximum prices for canned fruits and canned berries.* * * *

(b) * * *

(2) * * *

(vi) In determining and allocating to each container size the increased cost of the raw agricultural commodities used in canning fruit cocktail, fruits for salad, or the fruit and berry juices or nectars made from the fruits or berries listed in paragraph (b) (2) (iii) of this section, the increased cost of each com-

¹ 7 F.R. 5772, 5988.

ponent fruit or berry may be computed as set forth in the preceding paragraphs of this section and the increase apportioned to the various container sizes in the same proportion as the component fruits or berries are used in such container sizes. The increases in the cost of canned pineapple and maraschino cherries used in canning fruit cocktail or fruit for salad may be treated as increases in the cost of raw agricultural commodities. The amount of the increase shall be the difference between the canner's highest cost for canned pineapple and maraschino cherries during the first 60 days after the beginning of the 1941 pack and the respective present maximum prices of the canner's supplier. Such increases shall be apportioned to each container size in the same manner as increases in the cost of raw agricultural commodities are apportioned.

§ 134.114 *Effective dates of amendments.*

(b) Amendment No. 2 (subdivision (vi) of § 1341.102 (b) (2), and paragraph (b) of § 1341.114) to Maximum Price Regulation No. 185 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942,

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9412; Filed, September 22, 1942; 2:17 p. m.]

PART 1341—CANNED AND PRESERVED FOODS
[Maximum Price Regulation 227]

DRIED FRUITS

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of dried fruits by packers have resulted in the establishment under the General Maximum Price Regulation of maximum prices for such sales which are not generally fair and equitable to packers and which are not best calculated to assist in securing adequate production of such commodities. The Price Administrator has ascertained and given due consideration to the prices of dried fruits prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as is practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established for the packers of dried fruits by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which dried fruits are manufactured, prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for each such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, Maximum Price Regulation No. 227 is hereby issued.

Size	Government sales, per ton			Other sales, per ton		
	Blenheims	Northerns	San Joaquins	Blenheims	Northerns	San Joaquins
Standard.....	\$412.92	\$385.32	\$357.72	\$433.57	\$404.59	\$375.61
Choice.....	431.32	403.72	376.12	452.89	423.90	394.93
Extra choice.....	449.72	422.12	394.52	472.21	443.23	414.25
Fancy.....	468.12	440.52	412.92	491.53	462.55	433.57
Extra fancy.....	486.52	458.92	431.32	510.85	481.87	452.89
Jumbo.....	504.92	477.32	449.72	530.17	501.19	472.21
Slabs.....	412.92	385.32	357.72	433.57	404.59	375.61

(i) Maximum prices for other grades, varieties, sizes and container sizes shall be computed from those listed above by adding or subtracting, as the case may be, the same differential in dollars and cents which existed in the packer's price lists or schedules of differentials during the 1941-1942 selling season for the 1941 crop, or, if such differential did not remain constant during such period, the differential in effect for the greatest length of time during such period.

(2) *Figs; Paste packed in fibre cases containing 80 pounds.*

	Cents per pound
Callmyrna paste.....	13%
Adriatic paste.....	12
Natural Kadota paste.....	10%
Unbleached black fig paste.....	8
Bleached black fig paste.....	9
Tray dried Kadotas in sacks.....	10%

(i) Maximum prices for package figs and bulk figs in containers of 25 pounds or less shall be 124 percent of the price for the same item in the packer's first price list for the 1941 pack. Maximum prices for manufacturing figs and sliced figs shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots.

(3) *Peaches; Packed in wood cases containing 25 pounds.*

	Government sales, per ton	Other sales, per ton
Choice yellow freestones.....	\$326.11	\$342.41

AUTHORITY: §§ 1341.351 to 1341.363, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.351 *Prohibition against dealing in dried fruits above maximum prices.* (a) On and after September 22, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any dried fruits at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 227.

(b) No person in the course of trade or business shall buy or receive any dried fruits from a packer at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 227.

(c) No packer or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.352 *Packer's maximum prices for dried fruits.* (a) The packer's maximum prices f. o. b. factory for dried fruits shall be as follows:

(1) *Apricots; packed in wood boxes containing 25 pounds.*

(i) Maximum prices for other grades, varieties, sizes and container sizes of dried yellow freestone peaches shall be computed from the maximum price listed above by the use of a differential in the manner provided above for apricots. Maximum prices for dried clingstone peaches shall be one cent per pound less than the maximum prices for the corresponding sizes and grades of dried yellow freestone peaches. Maximum prices for dried nectarines shall be the same as the maximum prices for the corresponding sizes and grades of dried yellow freestone peaches.

(4) *Pears; Packed in wood boxes containing 25 pounds.*

	Government sales, per ton	Other sales, per ton
Extra choice Lake County.....	\$336.73	\$353.97
Choice Northern.....	307.63	323.01

(i) Maximum prices for other grades, varieties, sizes and container sizes of dried pears shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots.

(5) *Prunes; Packed in wood boxes containing 25 pounds.*

Grade size group	Packed point	Three District per ton		Outside per ton		Northwest per ton	
		Government Sales	Other	Government Sales	Other	Government Sales	Other
15/20.....	20	\$220.51	\$231.54	\$215.56	\$226.34	\$210.61	\$221.14
18/24.....	24	216.55	227.38	211.60	222.18	206.65	216.98
20/30.....	29	210.61	221.14	205.66	215.94	201.70	211.79
30/40.....	39	197.41	207.28	192.56	202.19	189.26	198.72
40/50.....	49	186.74	196.08	181.89	190.98	178.48	186.40
50/60.....	59	176.07	184.87	171.22	179.78	168.68	177.11
60/70.....	69	165.40	173.67	160.55	168.58	158.90	166.85
70/80.....	79	154.73	162.47	149.88	157.37	147.12	154.48
80/90.....	89	144.06	151.26	139.21	146.17	136.34	143.16
90/100.....	99	134.36	141.08	129.51	135.99	125.56	131.84
100/120.....	119	114.96	120.71	110.11	115.61	105.96	111.26

(i) The "packed point" above shows the number of packed prunes per pound in the packs for which the maximum prices are listed above. Maximum prices for other counts within the range of a size grade group, shall be computed by adding \$1.00 per ton for each whole point lower count (larger fruit) than the "packed point". Maximum prices for prunes in other container sizes shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots.

(6) Raisins; per ton, packed in fibre boxes containing 25 pounds, except as otherwise indicated.

	Government sales	Others
Choice natural Thompson seedless.....	\$146.22	\$153.97
U. S. Grade B Choice color golden bleached Thompson seedless.....	169.54	178.02
Fancy sulphur bleached Thompson seedless.....	186.22	195.53
Three crown muscats.....	176.22	185.03
Choice seeded muscats (30 lb. fibre boxes).....	176.22	185.03
Zante currants.....	206.22	216.53
Choice Sultanas.....	141.22	148.28
Zante currants (11 oz. pkg.).....	.0931 (per pkg.)	.0983 (per pkg.)

(1) Maximum prices for other grades, varieties and container sizes of raisins shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots, except that the differential shall be determined during the period of September, October and November, 1941.

(b) Maximum prices per ton may be converted to maximum prices per pound by dividing by 2,000.

(c) Maximum prices per pound for brands, which were nationally advertised in 1941, of the dried fruits in the container sizes specified below, may be computed by adding a premium to the maximum prices per pound computed pursuant to the foregoing paragraphs of this section, as follows:

Dried fruits	Container sizes	Premium per pound
Prunes.....	1 lb. & 2 lb. cartons.....	¼ cent.
Apricots.....	11 oz. cartons.....	½ cent.
Peaches.....	11 oz. cartons.....	¾ cent.

(d) If the maximum price for any kind, grade, variety, size or container size of dried fruits cannot be determined under the foregoing paragraphs of this section, the packer's maximum price shall be the maximum price of the most closely competitive packer of the same item.

(e) All maximum prices established herein include brokerage. The seller shall maintain his customary cash and quantity discounts to different classes of purchasers.

(f) Differentials used to compute maximum prices shall be the same amount in dollars and cents for government sales or other sales. In computing maximum prices for government sales, the differential shall be added to or subtracted from maximum prices established for government sales. In computing maximum prices for other sales, the same differential shall be added to or subtracted from the maximum prices established for other sales.

(g) Prices per pound may be adjusted to the nearest 1/8 of a cent.

§ 1341.353 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 227 may be charged, demanded, paid or offered.

§ 1341.354 *Adjustment of maximum prices for container changes for government sales.* In the event that any governmental purchasing agency requires dried fruits to be packed in a special container, such agency may make application to the Office of Price Administration for an order under this section fixing the amount, if any, which may be added to the maximum prices established hereunder. Such application shall be in writing and shall state the estimated increase in the cost of packing in such special container. Any order issued under this section permitting such an increase, will apply to all packers required to pack in such special container.

§ 1341.355 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 227 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to dried fruits, alone or in conjunction with any commission, service, transportation or other charge

or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.356 *Records.* Every packer who makes sales of dried fruits after the effective date of this Maximum Price Regulation No. 227, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis of computing maximum prices by differentials under the terms of this regulation and (b) make and preserve for the same period all records of the same kind as he customarily kept, relating to the prices which he charged for dried fruits sold after the effective date of this regulation.

§ 1341.357 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 227 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.358 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 227 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1341.359 *Applicability.* The provisions of this Maximum Price Regulation No. 227 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.360 *Export sales.* The maximum price at which a person may export dried fruits shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1341.361 *Applicability of the General Maximum Price Regulation.* This Maximum Price Regulation No. 227 supersedes the provisions of the General Maximum Price Regulation with respect to sales or deliveries of dried fruits by packers for which maximum prices are established by this regulation.

§ 1341.362 *Definitions.* (a) When used in this Maximum Price Regulation No. 227 the term:

(1) "Persons" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors, or representatives of any of the foregoing and includes the United States, or any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means one who grades, cleans, sorts, processes with hot water, steam, chemicals or compressed air, sterilizes, fumigates or prepares for shipping fruits designated herein as dried fruits, but does not include a grower when he delivers dried fruits to a packer.

(3) "Dried fruits" means the following fruits or portions thereof, from which the major portion of moisture has been removed by natural or artificial drying:

- Apricots.
- Figs.
- Peaches (including nectarines).
- Pears.
- Prunes.
- Raisin variety grapes (raisins).

(4) "1941 pack" of any dried fruits shall be that pack the major portion of which was processed from fruit produced in the calendar year of 1941.

(5) The "most closely competitive packer" means the packer who (i) Sells to the same class of buyers; (ii) Produces the same or a similar quality range of the dried fruit in question; (iii) Has in the past sold the same kind of dried fruit at approximately the same prices as the packer seeking to establish a maximum price; (iv) Has used the same general merchandising methods; (v) Is located in the same or the nearest growing and packing area.

(6) "Government sales" means sales to the armed forces of the United States or to the Government of the United States or to any agency thereof.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.363 *Effective date.* This Maximum Price Regulation No. 227 (§§ 1341.351 to 1341.363 inclusive) shall become effective September 22, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9411; Filed, September 22, 1942; 2:15 p. m.]

PART 1358—TOBACCOS

[Maximum Price Regulation 228]

FLUE-CURED TOBACCO

In the judgment of the Price Administrator, it is necessary and proper for purchases of flue-cured tobacco to be covered by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 228 for flue-cured tobacco are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

The maximum prices established by this Maximum Price Regulation No. 228

*Copies may be obtained from the Office of Price Administration.

for flue-cured tobacco are not below the highest of any of the following prices, as determined by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) The market price prevailing for such commodity on October 1, 1941; (3) The market price prevailing for such commodity on December 15, 1941; or (4) The average price for such commodity during the period July 1, 1919, to June 30, 1929.

The prior approval of the Secretary of Agriculture has been given to this Maximum Price Regulation No. 228.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,¹ issued by the Office of Price Administration, Maximum Price Regulation No. 228 is hereby issued.

Sec.	
1358.51	Prohibition of purchases of flue-cured tobacco above maximum prices.
1358.52	Maximum prices for flue-cured tobacco.
1358.53	Exempt transactions.
1358.54	Less than maximum prices.
1358.55	Petitions for amendment.
1358.56	Applications for adjustment.
1358.57	Evasion.
1358.58	Enforcement.
1358.59	Records and reports.
1358.60	Definitions.
1358.61	Revocation of Temporary Maximum Price Regulation No. 21.
1358.62	Effective date.

AUTHORITY: §§ 1358.51 to 1358.62, inclusive, issued pursuant to Pub. Law 421, 77th Cong.

§ 1358.51 *Prohibition of purchases of flue-cured tobacco above maximum prices.* On and after September 22, 1942, regardless of any contract, agreement, lease or other obligation; (a) No person shall buy or receive any flue-cured tobacco on the loose-leaf markets at prices higher than the maximum prices set forth in § 1358.52 of this Maximum Price Regulation No. 228.

(b) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1358.52 *Maximum prices for flue-cured tobacco.* During the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by any person for flue-cured tobacco shall not exceed the weighted average price per pound paid by such person for flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive; *Provided,* That (a) If the weighted average price paid by any person for flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive, did not exceed the market average price per pound of flue-cured tobacco during said period as published by the United States Department of Agriculture (namely 34.86 cents per pound), then during the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by such person for flue-cured tobacco shall not exceed 34.86 cents per pound, and

(b) If any person did not purchase any flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive, then during the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by such person for flue-cured tobacco shall not exceed (1) 34.86 cents per pound or (2) the weighted average price per pound paid by such person for flue-cured tobacco during the 1941-1942 marketing season plus 6.76 cents per pound, whichever is higher. In order to avail himself of the alternative pricing method in paragraph (b) (2), such person must be able to demonstrate by appropriate written records what the weighted average price per pound paid by him for flue-cured tobacco during the 1941-1942 marketing season was and must preserve such records for so long as the Emergency Price Control Act of 1942 remains in effect and shall make them available for examination by the Office of Price Administration.

§ 1358.53 *Exempt transactions.* The provisions of this Maximum Price Regulation No. 228 shall not apply to the following transactions:

(a) Purchases of flue-cured tobacco for the account of Commodity Credit Corporation.

(b) Purchases of flue-cured tobacco for export: *Provided,* That such purchases are made on bona fide orders for export and that, within one week after each purchase, the purchaser shall file with the Office of Price Administration, in Washington, D. C. a copy of the order upon which the purchase is made.

(c) Purchases of flue-cured tobacco for resale in substantially the same form on the loose-leaf markets: *Provided,* That such flue-cured tobacco is actually resold in substantially the same form on the loose-leaf markets.

§ 1358.54 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 228 may be paid or offered.

§ 1358.55 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 228 or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1358.56 *Applications for adjustment.* (a) The Office of Price Administration or any duly authorized officer thereof may by Order adjust the maximum prices established under this Maximum Price Regulation for any buyer in any case in which such buyer shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive buyers of flue-cured tobacco; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive buyers of flue-cured tobacco will not cause or threaten to cause an increase in the level of retail prices of

¹ 7 F. R. 971, 3663, 6967.

products manufactured in whole or in part from flue-cured tobacco.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) Any person seeking relief for which no provision is made in this Maximum Price Regulation No. 228 from a maximum price established under this regulation may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration and shall set forth the facts relating to the hardship to which such maximum price subjects the Applicant together with a statement of the reasons why he believes that the granting of relief in his case, and in all like cases, will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 228 to eliminate the danger of inflation.

§ 1358.57 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 228 shall not be evaded, whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to flue-cured tobacco, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege or other trade understanding or otherwise.

§ 1358.58 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 228 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 228 or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1358.59 *Records and reports.* (a) On or before September 30, 1942, each person subject to this Maximum Price Regulation No. 228 shall file with the Office of Price Administration in Washington, D. C. a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during the period from August 24, 1942 to August 28, 1942, inclusive, and the total purchase price paid therefor: *Provided*, That no person shall be required to file such statement if he has already filed a similar statement with the Office of Price Administration.

(b) Any person who proposes to avail himself of the alternative pricing method provided in § 1358.52 (b) (2) shall, before making any purchases of flue-cured tobacco, file with the Office of Price Ad-

ministration in Washington, D. C., a statement of the weighted average price per pound paid by him for flue-cured tobacco during the 1941-1942 marketing season.

(c) Each person subject to this Maximum Price Regulation No. 228 shall preserve for examination by the Office of Price Administration all his existing records relating to the quantities of flue-cured tobacco purchased by him during the period from August 24, 1942 to August 28, 1942, inclusive, and the purchase prices paid therefor, and all his existing records relating to the quantities of flue-cured tobacco purchased by him during the period from August 31, 1942 to September 22, 1942, inclusive and the purchase prices paid therefor.

(d) Each person subject to this Maximum Price Regulation No. 228 shall make and preserve for examination by the Office of Price Administration complete and accurate records of each purchase of flue-cured tobacco made by him after September 22, 1942 showing the date thereof, the price paid, and the number of pounds purchased.

(e) On or before October 10, 1942 each person subject to this Maximum Price Regulation No. 228 shall file with the Office of Price Administration in Washington, D. C. a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during the period August 31, 1942 to September 30, 1942, inclusive, and the total purchase price paid therefor. On or before the 10th day of each month commencing November 1942 each person subject to this Maximum Price Regulation No. 228 shall file with the Office of Price Administration in Washington a statement of the total number of pounds of flue-cured tobacco purchased by such person during the preceding month and the total purchase price paid therefor.

(f) The records required to be made or preserved by paragraphs (c), (d) and (e) shall be preserved for so long as the Emergency Price Control of 1942 remains in effect.

(g) Each person subject to this Maximum Price Regulation 228 shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a), (b), (c), (d), and (e) of this section as the Office of Price Administration may from time to time require.

§ 1358.60 *Definitions.* (a) When used in this Maximum Price Regulation No. 228 the term:

(1) "Person" includes individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other Government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Flue-cured tobacco" means U. S. types 11, 12, and 13 as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(3) "Weighted average price" means the total purchase price paid for all flue-cured tobacco purchased in any particular period, divided by the total number of pounds of flue-cured tobacco purchased during such period.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1358.61 *Revocation of Temporary Maximum Price Regulation No. 21.* Temporary Maximum Price Regulation No. 21 (§§ 1358.51 to 1358.62, inclusive,) which was issued August 29, 1942 and which was to expire on October 29, 1942, is hereby revoked and is replaced by this Maximum Price Regulation No. 228.

§ 1358.62 *Effective date.* This Maximum Price Regulation No. 228 (§§ 1358.51 to 1358.62, inclusive) shall become effective September 22, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9410; Filed, September 22, 1942; 2:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 4 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Paragraph (e) of §§ 1388.14, 1388.64, 1388.114, 1388.164, 1388.214, 1388.264, 1388.314, 1388.364, 1388.414, 1388.464, 1388.514, 1388.564, 1388.614, 1388.664, 1388.714, 1388.764, 1388.814, 1388.864, 1388.914, 1388.964, 1388.1014, 1388.1654, 1388.1704, 1388.1754, 1388.1804, 1388.2054, 1388.3054, 1388.4054, 1388.5054, 1388.6054, 1388.7054, and 1388.8054, of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, and 45, respectively, is hereby amended to read as follows:

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between -----¹ and such effective date, the first rent for such accommodations after the change or the effective date as the case may be, but in no event more than the maximum rent provided for such accommodations by any order

¹The applicable date is to be inserted for each Maximum Rent Regulation. The respective date to be inserted for each Maximum Rent Regulation is as follows:

Nos. 1, 7, 9, 25, 39, 41, November 1, 1940; Nos. 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 24, 26, 33, February 1, 1941; Nos. 10, 16, 27, 37, May 1, 1941; Nos. 28, 35, 43, 45, January 1, 1942.

of the Administrator issued prior to September 22, 1942. Within 30 days after so renting the landlord shall register the accommodations as provided in § -----². The Administrator may order a decrease in the maximum rent as provided in § -----³ (c).

Paragraph (c) (1) of §§ 1388.15, 1388.65, 1388.115, 1388.165, 1388.215, 1388.265, 1388.315, 1388.365, 1388.415, 1388.465, 1388.515, 1388.565, 1388.615, 1388.665, 1388.715, 1388.765, 1388.815, 1388.865, 1388.915, 1388.965, 1388.1015, 1388.1655, 1388.1705, 1388.1755, 1388.1805, 1388.2055, 1388.3055, 1388.4055, 1388.5055, 1388.6055, 1388.7055, and 1388.8055 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, and 45, respectively, is hereby amended to read as follows:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), (e), or (g) § -----⁴ is higher

²The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§ 1388.17, No. 1; § 1388.67, No. 2; § 1388.117, No. 3; § 1388.167, No. 4; § 1388.217, No. 5; § 1388.267, No. 6; § 1388.317, No. 7; § 1388.367, No. 8; § 1388.417, No. 9; § 1388.467, No. 10; § 1388.517, No. 11; § 1388.567, No. 12; § 1388.617, No. 13; § 1388.667, No. 14; § 1388.717, No. 15; § 1388.767, No. 16; § 1388.817, No. 17; § 1388.867, No. 18; § 1388.917, No. 19; § 1388.967, No. 20; § 1388.1017, No. 24; § 1388.1657, No. 25; § 1388.1707, No. 26; § 1388.1707, No. 27; § 1388.1807, No. 28; § 1388.2057, No. 33; § 1388.3507, No. 35; § 1388.4057, No. 37; § 1388.5057, No. 39; § 1388.6057, No. 41; § 1388.7057, No. 43; and § 1388.8057, No. 45.

³The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§ 1388.15, No. 1; § 1388.65, No. 2; § 1388.115, No. 3; § 1388.165, No. 4; § 1388.215, No. 5; § 1388.265, No. 6; § 1388.315, No. 7; § 1388.365, No. 8; § 1388.415, No. 9; § 1388.465, No. 10; § 1388.515, No. 11; § 1388.565, No. 12; § 1388.615, No. 13; § 1388.665, No. 14; § 1388.715, No. 15; § 1388.765, No. 16; § 1388.815, No. 17; § 1388.865, No. 18; § 1388.915, No. 19; § 1388.965, No. 20; § 1388.1015, No. 24; § 1388.1655, No. 25; § 1388.1705, No. 26; § 1388.1755, No. 27; § 1388.1805, No. 28; § 1388.2055, No. 33; § 1388.3055, No. 35; § 1388.4055, No. 37; § 1388.5055, No. 39; § 1388.6055, No. 41; § 1388.7055, No. 43; and § 1388.8055, No. 45.

⁴The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§ 1388.14, No. 1; § 1388.64, No. 2; § 1388.114, No. 3; § 1388.164, No. 4; § 1388.214, No. 5; § 1388.264, No. 6; § 1388.314, No. 7; § 1388.364, No. 8; § 1388.414, No. 9; § 1388.464, No. 10; § 1388.514, No. 11; § 1388.564, No. 12; § 1388.614, No. 13; § 1388.664, No. 14; § 1388.714, No. 15; § 1388.764, No. 16; § 1388.814, No. 17; § 1388.864, No. 18; § 1388.914, No. 19; § 1388.964, No. 20; § 1388.1014, No. 24; § 1388.1654, No. 25; § 1388.1704, No. 26; § 1388.1754, No. 27; § 1388.1804, No. 28; § 1388.2054, No. 33; § 1388.3054, No. 35; § 1388.4054, No. 37; § 1388.5054, No. 39; § 1388.6054, No. 41; § 1388.7054, No. 43; and § 1388.8054, No. 45.

than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on -----⁵.

This Supplementary Amendment No. 4 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9409; Filed, September 22, 1942; 2:15 p. m.]

PART 1389—APPAREL

[Correction to Amendment 2 to Maximum Price Regulation 153, as Amended¹]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

For the reasons set forth in the statement of considerations* issued simultaneously herewith and pursuant to authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered that § 1389.8, paragraph (b), subparagraph (2) of Amendment No. 2 to Maximum Price Regulation No. 153, as amended, is corrected to read as set forth below:

§ 1389.8 *Records.* * * *

(b) * * *

(2) Prepare, and on or before September 15, 1942, file with the Office of Price Administration in Washington, D. C. sworn statements in the detail required by forms to be furnished him by the Office of Price Administration, showing:

(i) The price lines at which he delivered women's, girls' and children's outerwear garments in each category during March 1942 and during July, August and September, 1941;

(ii) The net cost of the materials and trimmings and direct labor cost incurred in the production of such garments;

(iii) Such other data and information as specified in the forms; and

* * *

§ 1389.11 *Effective dates of amendments.* * * *

(d) This correction to Amendment No. 2 to Maximum Price Regulation No. 153, as amended, shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9408; Filed, September 22, 1942; 2:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 4381, 5869, 7010.

² The applicable date is to be inserted for each Maximum Rent Regulation. The respective date to be inserted for each Maximum Rent Regulation is as follows:

Nos. 1, 7, 9, 25, 39, 41, January 1, 1941; Nos. 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 24, 26, 33, April 1, 1941; Nos. 10, 16, 27, 37, July 1, 1941; Nos. 28, 35, 43, 45, March 1, 1942.

PART 1499—COMMODITIES AND SERVICES

[Amendment 32 to Supplementary Regulation 14¹ of General Maximum Price Regulation²]

COTTON BALE BAGGING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (29) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.*

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(29) *Sales by cotton oil mills of cotton bale bagging (and ties, when sold in combination with cotton bale bagging at a single price for the combination).* The maximum price for sales by cotton oil mills of cotton bale bagging (and ties, when sold in combination with cotton bale bagging at a single price for the combination) shall be determined in the following manner:

(i) The maximum price per pattern, f. o. b. seller's plant, for cotton bale bagging complete with five ties shall be the sum of:

(a) The replacement cost thereof; plus

(b) Actual freight incurred in bringing such bagging and ties to seller's plant; plus

(c) A markup of \$.05.

(ii) The maximum price per pattern, f. o. b. seller's plant, for cotton bale bagging without ties shall be the sum of:

(a) The replacement cost thereof; plus

(b) Actual freight incurred in bringing such bagging to seller's plant; plus

(c) A markup of \$.04.

(iii) *Definitions.* For purposes of this subparagraph (29):

(a) "Cotton bale bagging" means textile material sold for use as a covering for cotton bales, including, but not limited to, the following: new jute bagging, re woven jute bagging, reworked jute bagging, sugar bag cloth, and cotton bagging.

(b) "Pattern" means a quantity of 6 linear yards of cotton bale bagging whether at the time of sale such bagging has been cut into pieces for application to the bale or is in the form of a continuous strip or roll.

(c) "Replacement cost" means the net price paid by such seller after May 18, 1942, or the net price the seller would

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7400, 7401, 7453.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322.

have to pay after such date, when purchasing from his customary source of supply, to replace cotton bale bagging (and ties, when sold in combination with cotton bale bagging at a single price for the combination) of the same type, weight and quality and in the same form as that for which a maximum price is being determined: *Provided*, That such net price may not exceed the maximum price of such seller's customary supplier determined pursuant to the applicable price schedule or regulation issued by the Office of Price Administration.

(iv) No seller determining a maximum price under the provisions of this subparagraph (29) shall be required to grant any discounts or allowances from the maximum price so determined.

(v) The provisions of this subparagraph (29) shall apply and Revised Price Schedule No. 49 shall not apply to sales by cotton oil mills of cotton bale ties when sold in combination with cotton bale bagging at a single price for the combination.

(b) *Effective dates.* * * *

(33) Amendment No. 32 (§ 1499.73 (a) (29)) to Supplementary Regulation No. 14 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9417; Filed, September 22, 1942;
2:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 31 to Supplementary Regulation 14¹ of General Maximum Price Regulation²]

SILVER BULLION OTHER THAN NEWLY-MINED DOMESTIC

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (15) is amended to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(15) *Silver other than newly-mined domestic silver.* * * *

(i) *Maximum prices for silver bullion other than newly-mined domestic silver.*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F. R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7269, 7203, 7365, 7401, 7400, 7453.

² 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6053, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

On and after August 31, 1942, the seller's maximum price for silver bullion other than newly-mined domestic silver shall be the maximum price established for such silver bullion by § 1499.2 of the General Maximum Price Regulation, plus 9.625 cents per troy ounce .999 fine.

(ii) *Maximum prices for semifabricated articles containing silver other than newly-mined domestic silver.* On and after August 31, 1942, the seller's maximum price for any semifabricated article containing silver other than newly-mined domestic silver shall be the maximum price for such article established by § 1499.2 of the General Maximum Price Regulation, plus 9.634 cents per fine troy ounce of silver contained.

(iii) *Maximum prices for scrap silver.* On and after August 31, 1942, the seller's maximum price for scrap silver shall be the maximum price for such scrap established by § 1499.2 of the General Maximum Price Regulation, plus 9.634 cents per fine troy ounce of silver contained.

(iv) *Definitions.* As used in this paragraph (a) (15)

(a) The term "newly-mined domestic silver" means silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof.

(b) The term "silver bullion" means silver, other than newly-mined domestic silver, which has been melted, smelted or refined and which is in such state or condition that its value depends primarily upon the silver content and not upon its form.

(c) The term "semifabricated article" refers to silver, other than newly-mined domestic silver, which has been melted, smelted or refined, and further processed, or combined with other materials, by alloying, machining, rolling, drawing, turning, blanking, slitting, cutting, spinning, remelting, recasting, or other similar process, or by being subjected to special refining processes, and which is in such state or condition that its value depends primarily upon the metallic silver content and not upon its form. The term includes, but is not restricted to, silver alloys, grain, shot, powder, wire, sheet, blanks, circles, solders, brazing alloys, sintered products, silver-clad metals, silver inlays and bar silver in weights or degrees of fineness different from the weight and fineness of standard commercial bars; it excludes, but without limitation, standard commercial bar silver and any article, other than those specifically referred to herein, which is suitable for ultimate use without further processing or combination with other materials.

(d) The terms "standard commercial bars" and "standard commercial bar silver" mean silver bullion in the form of bars weighing approximately 1,000 ounces, .999 fine.

(e) The term "scrap silver" includes all materials containing silver, whether in metallic form or not, which are the waste or by-product of metal working of any kind, or of any use of silver in

industry or the arts; it also includes all articles containing silver, whether in metallic form or not, which have been discarded from their original use because of obsolescence, failure, or other reasons. It does not include articles which are still useful in their existing state for their original purpose if such articles are bought and sold for reuse in their existing state for their original purpose.

(b) *Effective dates.* * * *

(32) Amendment No. 31 to Supplementary Regulation No. 14 (§ 1499.73 (a) (15)) shall be effective as of August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9418; Filed, September 22, 1942;
2:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 27 to Supplementary Regulation 14¹ to General Maximum Price Regulation²]

SILVER SALTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (a) of § 1499.73 is set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.*

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(25) *Silver salts*—(i) *Maximum prices for sales by producers of certain silver salts manufactured by them from silver bullion.* On and after September 22, 1942, the maximum price for the sale by a producer of a silver salt manufactured by him from silver bullion shall be the maximum price for the same silver salt as determined in accordance with § 1499.2 of the General Maximum Price Regulation, plus the amount by which the silver cost per unit of the product is increased as the result of using silver bullion which has a delivered cost per troy ounce to such manufacturer of more than the delivered cost per troy ounce of the silver bullion last delivered to him prior to August 31, 1942.

(ii) *Maximum prices for sales by producers of silver salts manufactured by them from silver compounds.* On and after September 22, 1942, the maximum price for the sale by a producer of a silver

¹ 7 F. R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7269, 7203, 7365.

² 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6053, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

salt manufactured by him from silver nitrate or any other silver compound shall be the maximum price for the same silver salt as determined in accordance with § 1499.2 of the General Maximum Price Regulation, plus the amount by which the cost of the silver compound per unit of the product is increased as the result of using a silver compound which has a delivered cost to such manufacturer of more than the delivered cost of the silver compound last delivered to him prior to August 31, 1942.

(iii) *Maximum prices for sales of silver salts by persons other than producers.* On and after September 22, 1942, the maximum price for the sale of a silver salt by a person other than a producer shall be the maximum price for the same silver salt as determined in accordance with § 1499.2 of the General Maximum Price Regulation, plus the amount by which the cost of the silver salt to such person has been increased on purchases made on and after August 31, 1942, over the cost of the last delivery to him made prior to August 31, 1942.

(iv) *Definitions.* For the purposes of this § 1499.73 (a) (25) the term:

(a) "Silver salt" means any chemical compound which consists of silver and cations of acids, such as silver nitrate, silver ferricyanide, and silver nucleinate. For the purposes of this section, "silver salt" shall also include silver azide, silver oxide and silver sulphide.

(b) "Silver bullion" means silver which has been melted, smelted, or refined, and which is in such state or condition that its value depends primarily upon the silver content and not upon its form.

(c) "Silver compound" means any compound containing silver, such as silver nitrate, which is used instead of silver bullion in the production of silver salts.

(d) "Producer" means any person manufacturing a silver salt.

(v) *Reports.* (a) Whenever a producer of a silver salt determines a maximum price for a silver salt in accordance with the provisions of this § 1499.73 (a) (25) which is higher than his maximum price as determined in accordance with § 1499.2 of the General Maximum Price Regulation, he shall, before making any delivery of any such silver salt at a price higher than the maximum price determined in accordance with § 1499.2, submit by registered mail to the Office of Price Administration, Washington, D. C., a statement setting forth all relevant facts, including:

(1) A description of the silver salt being priced and whether it is produced from silver bullion or a silver compound;

(2) The maximum prices for such silver salt determined under § 1499.2 of the General Maximum Price Regulation;

(3) The delivered cost of the last delivery prior to August 31, 1942, of silver bullion or silver compound, showing a detailed breakdown of such cost;

(4) The delivered cost of the silver bullion or silver compound now being used, showing a detailed breakdown of such cost;

(5) The maximum price for such silver salt determined pursuant to this section, showing the details of the computation of such price.

After the statement has been sent by registered mail to the Office of Price Administration, the producer may sell and deliver the silver salt at the proposed price, but the prices at which such sales or deliveries are made prior to the expiration of fifteen days from the date of receipt of the statement by the Office of Price Administration shall be subject to disapproval in writing by the Office of Price Administration, and, if required by the Office of Price Administration, refunds shall be made. If at the expiration of fifteen days from the receipt of the statement, the Office of Price Administration has not in writing disapproved the manufacturer's proposed price, the producer may thereafter continue to sell and deliver such silver salt at prices not in excess of his proposed price unless and until the Administrator establishes a lower maximum price.

(b) A seller of silver salts other than a producer shall, within ten days after determining a maximum price pursuant to this section which is higher than the maximum price determined pursuant to § 1499.2 of the General Maximum Price Regulation, report such maximum price to the appropriate field office of the Office of Price Administration. Such report shall include a description of the silver salt being priced, the maximum price as determined pursuant to § 1499.2 of the General Maximum Price Regulation, and the full details of the calculations made in arriving at the new maximum price.

(b) *Effective dates.* * * *
(28) Amendment No. 27 to Supplementary Regulation No. 14 (§ 1499.73 (a) (25)) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9419; Filed, September 22, 1942;
2:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation—Order 74]

E. I. DU PONT DE NEMOURS & CO., INC.

E. I. du Pont de Nemours & Company, Inc., of Wilmington, Delaware, made application for authorization to determine a maximum price for a new type of rayon yarn recently developed by them called "Bubblfil." Due consideration has been given to the application and it appears that this new type of rayon yarn cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation for the reasons set forth in the opinion in support of this order, which has been issued simultaneously herewith and has

*Copies may be obtained from the Office of Price Administration.

been filed with the Division of the Federal Register.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, it is hereby ordered:

§ 1499.288 *Approval of method of determining the maximum price for "Bubblfil" rayon yarn manufactured by E. I. du Pont de Nemours & Company, Inc.* (a) On and after September 23, 1942, the maximum price at which E. I. du Pont de Nemours & Company, Inc., may sell, deliver and offer for sale its "Bubblfil" rayon shall be \$1.25 per pound, f. o. b. seller's plant.

(b) The maximum price set forth in paragraph (a) hereof shall apply only to the sale of "Bubblfil" manufactured in quantities of less than 1,000 pounds per day.

(c) The maximum selling price set forth in paragraph (a) hereof shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 74 may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 74 (§ 1499.288) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9420; Filed, September 22, 1942;
2:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 50 Under § 1499.18 (b) of General Maximum Price Regulation]

ACME BARREL & PACKAGE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.350 *Adjustment of maximum prices for whole and half flour barrels sold by Acme Barrel & Package Co., Memphis, Tennessee.* (a) Acme Barrel & Package Co., #1 Linden Avenue, Memphis, Tennessee, may sell and deliver, and any person may buy and receive from said Acme Barrel & Package Co., whole and half flour barrels at prices not higher than the following prices, f. o. b. Memphis, Tennessee:

Whole flour Barrels (wood hoops and plain jointed staves): 95¢ each
Half flour Barrels (wood hoops and plain jointed staves): 90¢ each

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 50 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 50 (§ 1499.350) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 50 (§ 1499.350) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9421; Filed, September 22, 1942;
2:19 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 1 to Zoning Order 1¹ Under Rationing Order 3²]

SUGAR RATIONING REGULATIONS

That part of paragraph (a) of § 1407.281, Zoning Order No. 1, which establishes Zone 1 is amended, and a new paragraph (e) is added to § 1407.281, as set forth below:

§ 1407.281 *Establishment of zones: authorization of certain deliveries, shipments and transfers.* (a) * * *

Zone 1 shall include the State of Rhode Island; and Worcester, Middlesex, Essex, Norfolk, Bristol, Plymouth, Barnstable, Suffolk, Nantucket and Dukes Counties in the State of Massachusetts.

(d) Zoning Order No. 1 (§ 1407.281) shall become effective September 16, 1942.

(1) Amendment No. 1 to Zoning Order No. 1 (that part of paragraph (a) establishing Zone 1, and paragraph (e) of § 1407.281) shall become effective September 22, 1942.

(e) Confectioners' sugar in bulk may be delivered, shipped or transferred: (1) from Zone 5 to any point in Zone 6 except any point in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; and (2) from Zone 4 to any point in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland.

(Pub. Law 421, 77th Cong., W. P. B. Dir. No. 1, and Supp. Dir. No. 1E, § 1407.168 of Rationing Order No. 3)

Issued this 22d day of September, 1942.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 42-9426; Filed September 22, 1942;
4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 10 to Revised Supplementary Regulation 4¹ to General Maximum Price Regulation]

IMPORTED MAHOGANY LOGS, ETC.

Imported mahogany logs, lumber, fitches and veneer, and mahogany lumber, fitches, and veneer manufactured therefrom in the United States.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F. R. 7320.

² 7 F. R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6034, 6057, 6473, 6828, 6937, 7289, 7321, 7406.

³ 7 F. R. 7175.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (23) is added to paragraph (a) of § 1499.29 as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(23) Imported mahogany logs, lumber, fitches, and veneer, and mahogany lumber, fitches and veneer manufactured therefrom in the United States, sold or delivered after October 1, 1942 to the United States or any agency thereof, or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1942, entitled "An Act to promote the defense of the United States," or any agency of any such government, or to any person who will use the imported commodity purchased by him to fulfill a contract with the United States or any agency thereof, or with any such government or any agency of any such government, or a subcontract under any such contract.

For the purposes of this subparagraph (23) the term "mahogany" means the wood of the several species of the genus *Swietenia* and the wood of the several species of the genus *Khaya* of the *Meliaceae* family.

(11) Amendment No. 10 (§ 1499.29 (a) (23)) to Revised Supplementary Regulation No. 4 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9427; filed September 22, 1942;
4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 29 to Supplementary Regulation 14¹ to General Maximum Price Regulation²]

STORAGE AND WAREHOUSING OF APPLES AND PEARS IN OREGON AND WASHINGTON

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously

¹ 7 F. R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7400, 7453.

² 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

herewith and filed with the Division of the Federal Register.*

A new subparagraph (27) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(27) *Storage and warehousing of apples and pears in the States of Oregon and Washington*—(i) *Maximum prices.* Pending final determination by the Price Administrator of numerous requests for modification of the maximum prices established by § 1499.2 of the General Maximum Price Regulation for cold storage of apples and pears in the States of Oregon and Washington, and in view of representations concerning the urgent necessity for an increase in such maximum prices to facilitate harvesting of the current pear and apple crops, the maximum prices for such services shall be the seller's maximum price for such services determined in accordance with § 1499.2 of General Maximum Price Regulation: *Provided, however,* That an additional charge of 3 cents per box for apples and pears other than cannery pears, and \$1.50 per ton for cannery pears, may be made, subject to the following conditions set forth in subdivision (ii).

(ii) *Conditions.* (a) No person shall make any of the additional charges provided for in subdivision (i) unless, simultaneously with making any such additional charge, he shall enter into an agreement providing for the deposit by him of any such additional charge with an escrow agent and for ultimate payment by such escrow agent of the funds so deposited in accordance with subdivision (i) (c), or unless, prior to making any such additional charge, he shall have deposited with the appropriate state office of the Office of Price Administration a corporate surety bond conditioned upon refund of any such additional charges in accordance with subdivision (i) (c).

(b) Any person who makes any of the additional charges provided for in subdivision (i) shall advise the person to whom such additional charges are made of the exact amount of such additional charges and of the requirements of this subparagraph (27) for ultimate disposition of such additional charges and shall file with the appropriate state office of the Office of Price Administration, on the fifteenth day of each month, beginning October 15, 1942, a statement showing the names and addresses of all persons to whom such additional charges were made during the preceding month and setting forth the amount of such additional charges as to each such person.

(c) All or any part of the additional charges made pursuant to subdivision (i) shall be refunded, remitted, or paid over to the persons to whom they are made, in accordance with subsequent orders of

the Price Administrator, unless the seller's maximum prices for cold storage services established by § 1499.2 of General Maximum Price Regulation are increased by an amount equal to or exceeding the additional charges provided for in subdivision (i): *Provided, however*, That unless the Price Administrator otherwise provides by order or amendment, all such additional charges shall be refunded, remitted, or paid over, not later than December 31, 1942, to the persons to whom they were made.

(iii) *Definitions.* As used in this subparagraph (27) the term "appropriate state office of the Office of Price Administration" means the state office in the state in which the cold storage service is performed.

(b) *Effective dates.* * * *

(30) Amendment No. 29 (§ 1499.73 (a) (27)) to Supplementary Regulation No. 14 shall become effective September 22, 1942.

(Pub. Law 421, 77th Congress)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9428; Filed, September 22, 1942; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 165 as Amended—Supplementary Service Regulation 2—Adjustable Pricing]

PACKING OF APPLES AND PEARS

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 2 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Supplementary Service Regulation No. 2 is hereby issued.

§ 1499.652 *Adjustable pricing*—(a) *Maximum prices for packing of apples and pears.* (1) Pending final action by the Price Administrator on applications filed or which may be filed for adjustment of the maximum prices established under Maximum Price Regulation No. 165, as Amended, for packing of apples and pears, any person filing such an application and any person contracting with such an applicant for packing apples and pears is hereby authorized to agree in any contract for such services that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the applicant's request for adjustment.

(b) This Supplementary Service Regulation No. 2 (§ 1499.652) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9429; filed, September 22, 1942; 4:21 p. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T. D. 50729]

VESSELS OF FOREIGN REGISTRY TRANSPORTING MERCHANDISE BETWEEN PUERTO RICO AND UNITED STATES

WAIVER OF COASTWISE LAWS

SEPTEMBER 21, 1942.

Section 27 of Merchant Marine Act, 1920, as amended, waived to permit certain vessels of foreign registry to transport merchandise between points in Puerto Rico and points in continental United States.

Upon the written recommendation of the Secretary of the Interior and the Administrator of the War Shipping Administration, and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C. 833), to the extent necessary to permit the transportation of merchandise between points in Puerto Rico and points in the continental United States on such vessels of foreign registry as may be designated from time to time by the Administrator of the War Shipping Administration and approved by the Commissioner of Customs. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9441; Filed, September 23, 1942; 11:01 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1495]

DISTRICT BOARD 14

MEMORANDUM OPINION AND ORDER GRANTING POSTPONEMENT OF HEARING

In the matter of the petition of District Board No. 14 for revision of price classifications and minimum prices for certain mines in District No. 14.

On September 11, 1942 all parties to the above-entitled matter filed with this Division a joint motion for postponement, for sixty (60) days, of the hearing now scheduled to be held herein on September 21, 1942, at Fort Smith, Arkansas.

In support of the joint motion for postponement it is alleged that the prospective witnesses, with one or two exceptions, are coal producers actively employed in the management of their respective mines and are required to devote their entire time and attention thereto; that due to a serious labor shortage such producers are encountering great difficulty in operating their mines; that the postponement of the hearing in this matter will not operate to the disadvantage

of anyone concerned; and that the parties herein cannot be prepared to proceed in this matter on the date it is now scheduled for hearing.

An order entered in this matter on July 6, 1942 scheduled a hearing to be held herein at Fort Smith, Arkansas, on August 10, 1942. However, on July 24, 1942, petitioner and certain interveners in this matter filed a joint motion for postponement of the hearing scheduled to be held on August 10, 1942, stating among other things that due to the number of parties and the many issues involved in this proceeding, it would not be possible for petitioner or interveners to be prepared to go forward with their respective cases upon the date of hearing. After due consideration, good cause having been shown why such motion should be granted, an order was issued on August 6, 1942, postponing the hearing scheduled to be held on August 10, 1942, until September 21, 1942.

District Board No. 14, petitioner in the above-entitled matter on August 25, 1942, filed a motion requesting that the hearing therein be further postponed for a period of at least sixty (60) days. This motion was denied by, and for the reasons set forth in, the Memorandum Opinion and Order Denying Motion for Postponement of Hearing dated September 3, 1942.

The Motion for Postponement of Hearing filed with the Division on September 11, 1942 again requests that the hearing scheduled to be held herein at Fort Smith, Arkansas, on September 21, 1942 be postponed for a period of at least sixty (60) days. As stated in the Memorandum Opinion and Order entered in this matter on September 3, 1942, in view of the fact that the original petition was filed with the Division on June 8, 1942 and that the hearing originally scheduled to be held herein on August 10, 1942 was postponed until September 21, 1942, it appears that petitioner, interveners and other interested persons have been afforded ample opportunity to prepare for the hearing in this matter. However, in contemplation of the facts alleged in the joint motion for postponement filed on September 11, 1942 and in an effort to extend every consideration to interested parties, it is deemed advisable to postpone the date of hearing in this matter from September 21, 1942 until October 21, 1942. No sufficient reason has been advanced to warrant postponement of the aforesaid hearing beyond the latter date. Further, in the event District Board No. 14 is not prepared to proceed with its case on October 21, 1942, the Acting Director will at that time consider the advisability of dismissing this matter for failure of petitioner to proceed.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of September 21, 1942 until 10 o'clock in the forenoon of October 21, 1942.

The time for filing petitions of intervention in this matter is hereby extended until October 16, 1942.

In all other respects the Notice of and Order for Hearing entered in this matter on July 6, 1942, as amended by the

Order of August 6, 1942, shall remain in full force and effect.

Dated: September 19, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9402; Filed, September 22, 1942;
12:42 p. m.]

[Docket No. B-160]

ROBERT VAAL

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Robert Vaal, code member.

A written complaint dated December 6, 1941 having been filed on December 8, 1941, by the Bituminous Coal Producers Board for District No. 11, as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by Robert Vaal of the Bituminous Coal Code and orders, rules and regulations thereunder; and

An order having been entered herein on August 5, 1942, cancelling and revoking the code membership of Robert Vaal after hearing on said complaint, effective fifteen (15) days from the date thereof; and

Said order of cancellation and revocation having been duly served upon Robert Vaal on August 13, 1942, and Robert Vaal having filed with the Division on September 8, 1942 his application for restoration of his code membership; and

It appearing from said application and other information in the possession of the Division that Robert Vaal paid to the Collector of Internal Revenue at Indianapolis, Indiana, on September 2, 1942, the sum of \$152.94, pursuant to said order dated August 5, 1942, as a condition precedent to the restoration of his code membership.

Now, therefore, it is ordered, That said application of Robert Vaal, filed September 8, 1942, for restoration of his code membership be, and the same hereby is, granted.

It is further ordered, That the code membership of Robert Vaal be, and the same hereby is, restored as of September 2, 1942 at 12:01 a. m.

Dated: September 19, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9403; Filed, September 22, 1942;
12:42 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

TOLEDO, OHIO, MARKETING AREA

NOTICE ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the marketing agreement, as amended, and to the marketing order, as amended, regulat-

ing the handling of milk in the Toledo, Ohio, Marketing Area, prepared by the Administrator of Agricultural Marketing Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed amendment to the marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1019, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

This proceeding was initiated by the Agricultural Marketing Administration upon receipt of a petition dated August 6, 1942, from the Northwestern Cooperative Sales Association, Inc., for a public hearing on an amendment to the operative marketing agreement and marketing order program which it proposed. Following this request, and after consideration of the proposal, notice of the hearing was issued on August 27, 1942, and the hearing was convened on September 3, 1942. The time for filing briefs was set at the close of the hearing, to expire at midnight September 14, 1942.

The major issues involved in the hearing were concerned with (1) the basic formula price to be used in determining class prices, (2) the class price levels, (3) the butterfat differential to be used in computing individual producer payments, (4) the reclassification of chocolate milk and milk drinks from Class I to Class III milk, (5) the price of Class I milk sold outside the marketing area, and (6) emergency milk supplies.

With respect to these issues it is concluded from the record that:

1. The basic formula price to be used in determining class prices should be modified;
2. The class prices should be changed only as they are affected by the modification of the basic formula price;
3. The butterfat differential used in computing individual producer payments should be extended;
4. Chocolate milk and milk drinks should not be reclassified from Class I to Class III milk;
5. The price of Class I milk sold outside the marketing area should remain unchanged; and
6. No change should be made in the treatment of emergency milk supplies in the computation of the value of milk for each handler.

The proposed amendment to the order, as amended, which follows, is recom-

mended as the detailed means by which these conclusions may be effectuated. The proposed amendment to the marketing agreement, as amended, is not included in this report because the provisions thereof will be the same as the provisions of the amendment set forth below.

PROPOSED AMENDMENT TO ORDER,
AS AMENDED

It is found upon the evidence introduced at the public hearing held in Toledo, Ohio, on September 3, 1942:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c) are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended by this amendment, regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held; and

3. That the issuance of this amendment, and all of its terms and conditions, tends to effectuate the declared policy of the act.

Provisions

1. Delete § 930.1 (a) (1) and substitute therefor the following:

(1) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Delete the proviso of § 930.5 (a) (4) and substitute therefor the following:

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu thereof: multiply by 3.5 the average price per pound of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent thereof, and add or subtract 3½ cents per hundred-weight for each full one-half cent that the price of dry skim milk is above or below, respectively, 7½ cents per pound. The price per pound of dry skim milk to be used in this proviso shall be the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, delivered at Chicago, as published by the United States Department of Agriculture during the delivery period, including also in

such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period.

3. Delete from § 930.7 (c) the phrase "over 45 cents ---- 5.5" and substitute therefor:

Over 45 cents, but not over 50 cents---- 5.5
Over 50 cents, but not over 55 cents---- 6.0
Over 55 cents----- 6.5

4. Add as § 930.11 the following:

§ 930.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 23d day of September 1942.

ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-9449; Filed, September 23, 1942; 11:37 a. m.]

Office of the Secretary.

[Temporary Maximum Price Regulation No. 21]

FLUE-CURED TOBACCO

PROCLAMATION CONCERNING AGRICULTURAL COMMODITIES

Pursuant to Title I of the First Supplemental National Defense Appropriation Act, 1943, Public Law 678, 77th Congress, the Secretary of Agriculture has determined after investigation and hereby proclaims that the maximum prices established for flue-cured tobacco by Temporary Maximum Price Regulation No. 21¹ did at the time of the issuance of said regulation by the Price Administrator and do at the time of the issuance of this proclamation reflect to the producers of flue-cured tobacco prices in conformity with section 3 (c) of the Emergency Price Control Act of 1942 (Public Law 421, 77th Congress).

Done at Washington, D. C., this 23rd day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-9450; Filed, September 23, 1942; 11:37 a. m.]

[Maximum Price Regulation No. 106]

DOMESTIC SHORN WOOL

PROCLAMATION CONCERNING AGRICULTURAL COMMODITIES

Pursuant to Title I of the First Supplemental National Defense Appropriation Act, 1943, Public Law 678, 77th Congress, the Secretary of Agriculture has determined after investigation and hereby proclaims that the maximum prices established for wool by Maximum Price Regulation No. 106²—Domestic Shorn

¹ 7 F.R. 6896, 7100.
² 7 F.R. 1648, 2245, 2396, 4338.

Wool, and all amendments thereto, did at the time of the issuance of said regulation, and amendments thereto, by the Price Administrator and do at the time of the issuance of this proclamation reflect to the producers of domestic shorn wool prices in conformity with section 3 (c) of the Emergency Price Control Act of 1942 (Public Law 421, 77th Congress). Done at Washington, D. C., this 23d day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-9451; Filed, September 23, 1942; 11:37 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6426]

BLUE NETWORK CO., INC.

NOTICE OF HEARING

In re application of Blue Network Company, Inc. (new); dated July 8, 1942, for construction permit, class of service, relay broadcast; class of station, relay broadcast; location, San Francisco, California; operating assignment specified: frequency, 31220, 35620, 37020, 39260 kilocycles; emission: A3; power, 100 w. night; 100 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Blue Network Company, Inc., c/o RCA Building, 30 Rockefeller Plaza, New York, New York.

Dated at Washington, D. C., September 19, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9446; Filed, September 23, 1942; 11:05 a. m.]

[Docket Nos. 6414, 6413]

FRONTIER BROADCASTING CO.

NOTICE OF HEARING

In re application of Frontier Broadcasting Company (new), dated June 24, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of Cheyenne, Wyoming; operating assignment specified: Frequency, 30820, 33740, 35820, 37980 kilocycles; Emission: A3; power, 15 w. night; 15 w. day; hours of operation § 4.24.

In re application of Frontier Broadcasting Company (new), dated June 24, 1942, for construction permit, class of service, relay broadcast; class of station, relay broadcast; location, area of Cheyenne, Wyoming; operating assignment specified: Frequency, 1646, 2090, 2190, 2830 kilocycles; Emission: A3; power, 15 w. night; 15 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above described applications and has designated the matters for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Frontier Broadcasting Company, Plains Hotel, Cheyenne, Wyoming.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9445; Filed, September 23, 1942; 11:04 a. m.]

[Docket No. 6396]

MARTIN O'BRIEN (WMRO)

NOTICE OF HEARING

In re application of Martin R. O'Brien (WMRO), dated January 7, 1942, for modification of license; class of service, broadcast; class of station, broadcast; location, Aurora, Illinois; operating assignment specified; frequency, 1280 kc.; power, 100 w. night; 250 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice particularly in view of the expected nighttime interference limitation to the service of Station WMRO operating as proposed.

2. To determine the extent of any interference which would result from the simultaneous nighttime operation of Station WMRO as proposed and Station WTCN.

3. To determine the areas and populations which would be deprived of primary service, particularly from Station WTCN, as a result of the operation of Station WMRO as proposed and what other broadcast service is available to these areas and populations.

4. To determine whether Station WMRO, operating as proposed, would provide a minimum field intensity of 25 to 50 mv/m to the business district of Aurora, Illinois, as contemplated by the Standards of Good Engineering Practice.

5. To determine whether Station WMRO, operating as proposed, would provide an interference-free primary service to the entire city of Aurora, Illinois, as contemplated by the Standards of Good Engineering Practice.

6. To determine the areas and populations which would receive primary service from the operation of Station WMRO as proposed and what other broadcast service is available to these areas and populations.

7. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice (Footnote 4, section 1).

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine applicant's financial qualifications to operate Station WMRO as proposed.

10. To determine whether public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the application on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Martin R. O'Brien, Radio Station

WMRO, 34 South River Street, Aurora, Illinois.

Dated at Washington, D. C., September 19, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9443; Filed, September 23, 1942; 11:04 a. m.]

[Docket Nos. 6411, 6412]

NATIONAL BROADCASTING CO.

NOTICE OF HEARING

In re application of National Broadcasting Company, Inc. (New), dated June 22, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, near Addison, Illinois; operating assignment specified: frequency, 1606, 2074, 2102, 2758 kilocycles; emission: A1, A2, and A3; power, 1000 w. night; 1000 w. day; hours of operation, § 4.24.

In re application of National Broadcasting Company, Inc. (New), dated June 25, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of Chicago, Illinois; operating assignment specified: frequency, 1606, 2074, 2102, 2758 kilocycles; emission: A1, A2, and A3; power, 25 w. night; 25 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above-described applications and has designated the matters for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: National Broadcasting Company, Inc., c/o RCA Frequency Bureau, 30 Rockefeller Plaza, New York, New York.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9444; Filed, September 23, 1942; 11:04 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-109, G-112]

ILLINOIS COMMERCE COMMISSION, ET AL.

ORDER ACCEPTING REDUCED RATES FOR FILING AND TERMINATING PROCEEDINGS

SEPTEMBER 19, 1942.

Illinois Commerce Commission, Complainant, v. Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Defendants.

In the Matter of Natural Gas Pipeline Company of America and Texoma Natural Gas Company.

It appearing to the Commission that: (a) By our Opinion No. 49 and interim order of July 23, 1940, based upon the Companies' estimates of revenues and replacement cost of property, Natural Gas Pipeline Company of America (hereinafter sometimes referred to as Pipeline) and Texoma Natural Gas Company were ordered to reduce their rates to reflect a reduction of not less than \$3,750,000 per annum in the operating revenues of Pipeline, and it was further ordered that the record remain open for such future proceedings as the Commission deemed necessary or desirable;

(b) On April 20, 1942, subsequent to the affirmance of Opinion No. 49 and the order of July 23, 1940, by the Supreme Court of the United States, Pipeline filed supplements to its rate schedules in conformity with Opinion No. 49 and the order of July 23, 1940, providing for a reduction in operating revenues of approximately \$3,770,000 per annum, which supplements, pursuant to order of April 23, 1942, were allowed to take effect as of September 1, 1940;

(c) In the light of the principles enunciated in the decision of the Supreme Court affirming Opinion No. 49 and the order of July 23, 1940, the Commission's staff estimated, upon the basis of the actual cost of the Companies' properties less depreciation and depletion reserves plus working capital and the actual revenues for 1942, the amount available for additional reduction in Pipeline's revenues to be approximately \$2,750,000 over and above the reduction theretofore made in conformity with Opinion No. 49 and the order of July 23, 1940;

(d) As a result of conferences held by the Commission's staff with the staff of Pipeline and Texoma Natural Gas Company, the Companies accepted as correct the amount found by the staff of this Commission to be available for further reduction;

(e) On August 15, 1942, Pipeline filed proposed First Revised Sheets Nos. 2, 3, 4, 11, 12, 14, 15 and 20 and revised sheets Nos. 8 and 9 canceling original sheets Nos. 8 and 9 of its rate book of FPC Gas Schedules, to take effect as of September 20, 1942, which, together with certain minor reductions in rates resulting from the filing of its rate book of FPC Gas Schedules which became effective August 20, 1942, result in a total additional reduction, over and above the reduction heretofore made in conformity with our Opinion No. 49 and order of July 23,

1940, of \$2,738,000 per annum based upon revenues for 1942 and of \$2,855,000 per annum based upon estimated revenues for the year ending May 31, 1943;

(f) The Commission's staff is of the opinion that this additional reduction will result in just and reasonable rates for Pipeline;

(g) The Commission is in full accord with the holdings of the United States Circuit Court of Appeals for the Seventh Circuit in its opinion dated June 30, 1942, in the case of *Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Petitioners, v. Federal Power Commission and Illinois Commerce Commission, Respondents*, that it is the ultimate "consumers for whose benefit these proceedings were instituted. The utilities with whom petitioners (Natural Gas Pipeline Company of America and Texoma Natural Gas Company) contracted were merely conduits by which natural gas transported by petitioners was delivered to customers by utilities," and that it is "for the consumers the Federal Power Commission acted."

(h) Pipeline has advised the Commission that copies of the proposed new rates were submitted to each purchaser at the time of filing with the Commission, and public notice of the proposed new rates was given by the Commission's Release No. 2005, issued August 24, 1942, but no protests with respect thereto have been received by the Commission;

(i) By letter of August 21, 1942, the Commission notified the Illinois Commerce Commission, complainant in these proceedings, of the proposed new rates and subsequently the Illinois Commerce Commission was advised that this Commission would defer action until September 11, 1942, to allow time for comments to be received from them, but no comments have been received by this Commission from the Illinois Commerce Commission with respect to the proposed new rates;

(j) By Opinion No. 73 and orders of March 18, 1942, entered in the matters of Canadian River Gas Company, et al., Docket No. G-118, et al., now pending review in the United States Circuit Court of Appeals for the Tenth Circuit, the Commission ordered a reduction in the rates and charges of Colorado Interstate Gas Company, subject to the jurisdiction of the Commission, in the amount of \$2,065,000 per annum, of which amount \$655,000 constituted excessive charges to Pipeline;

The Commission finds that: (1) The reductions in operating revenues provided by Pipeline's rate book of FPC Gas Schedules and the revised sheets therefor are in substantial accord with the estimates of the Commission's staff for a proper reduction over and above the reduction heretofore made in conformity with Opinion No. 49 and order of July 23, 1940;

(2) Pipeline's rates and charges as contained in the rate book of FPC Gas Schedules with said revised sheets will be just and reasonable;

(3) It will be in the public interest to accept for filing the revised sheets for Pipeline's book of FPC Gas Schedules and

to terminate the proceedings in these matters;

The Commission orders that: (A) The First Revised Sheets Nos. 2, 4, 11, 12, 14, 15 and 20 and revised sheets Nos. 8 and 9 canceling original sheets Nos. 8 and 9 for Pipeline's rate book of FPC Gas Schedules be and they are hereby accepted for filing to become effective on and after September 20, 1942;

(B) Any reduction in rates or charges received by Pipeline for natural gas purchased from Colorado Interstate Gas Company as a result of the reductions ordered in Opinion No. 73 and the order of March 18, 1942, shall be reflected by additional equivalent reductions in Pipeline's rates and charges through the filing of schedules to reflect such additional reductions;

(C) The order of August 20, 1942, postponing the resumption of the hearing in these matters be and it is hereby vacated and the proceedings are terminated;

(D) This order is without prejudice to any findings or orders which may be made by the Commission in any proceeding now pending or hereafter instituted by or against Pipeline.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9432; Filed, September 23, 1942;
9:44 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 142]

LEGACY PAYABLE TO CATHARINE ARTMANN

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

That certain legacy in the amount of \$100 payable under the terms of the last will and testament of Peter Emmerich, deceased, to Catharine Artmann, whose last known address was represented to the undersigned as being Trier, Germany, and who is a national of a designated enemy country (Germany),

is property which is in the process of administration by a person (namely, the executor of the aforesaid last will and testament) acting under judicial supervision (namely, that of the County Court of the County of Milwaukee, State of Wisconsin) and which is payable or deliverable to, or claimed by, such national of a designated enemy country (Germany), and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held,

used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9434; Filed, September 23, 1942;
10:29 a. m.]

[Vesting Order 145]

INTERESTS OF PARTNERS IN SOUTHERN COTTON CO., LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest as copartners in and to Southern Cotton Co., Ltd., a Texas partnership, which is a business enterprise within the United States, of each of the persons whose names and last known addresses are, respectively, as follows:

Names:	Last known addresses
K. Kuzutani.....	Japan.
B. W. Thomas.....	Dallas, Texas.

representing in the aggregate a 9 percent interest in the said business enterprise, the other 91 percent interest having been vested by the undersigned pursuant to Vesting Order Number 59 issued by him under date of July 24, 1942.

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after

appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 15, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9435; Filed, September 23, 1942;
10:29 a. m.]

[Vesting Order 148]

CERTAIN INDEBTEDNESS OWING BY AFRICAN-ASIATIC TRADING CO., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of F. H. Hillel and Company, Kobe, Japan, and Capelluto and Ashkenazi, Kobe, Japan, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or any of them by African-Asiatic Trading Co., Inc., a New York corporation, which is a business enterprise within the United States, 66 $\frac{2}{3}$ shares of the common capital stock of which were vested by the undersigned pursuant to Vesting Order Number 88 issued under date of July 31, 1942, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, nationals of a designated enemy country (Japan), and determining that to the

extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9436; Filed, September 23, 1942;
10:30 a. m.]

[Vesting Order 149]

CERTAIN INDEBTEDNESS OWING BY GOSHO COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Gosho Company, Japan Agency, Osaka, Japan, Gosho Kabushiki Kaisha, Shanghai, China, and S. Kida, Osaka, Japan, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or any of them by Gosho Company, Inc., a Texas corporation, which is a business enterprise within the United States, 7,405 shares of the common capital stock of which were vested by the undersigned pursuant to Vesting Order Number 87 issued under date of July 31, 1942, including but not limited to all security rights in and to any and all collateral

for any or all of such indebtedness and the right to sue for and collect such indebtedness.

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, nationals of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest; hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9437; Filed, September 23, 1942;
10:30 a. m.]

[Vesting Order, 150]

CERTAIN INDEBTEDNESS OWING BY R. A. C. E., INCORPORATED

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Societa Italiana Rigenerazione Soluzioni Impure, Castellanza, Italy, in and to all indebtedness, contingent or otherwise, and whether or not matured, owing to it by R. A. C. E., Incorporated, an

Ohio corporation, which is a business enterprise within the United States, 245 shares of the common capital stock of which were vested by the undersigned pursuant to Vesting Order Number 89 issued under date of July 31, 1942, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness.

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, nationals of a designated enemy country (Italy), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9438; Filed, September 23, 1942;
10:31 a. m.]

[Vesting Order 139]

THE SCHERING CORPORATION

Re: Certain declared and unpaid dividends on the capital stock of The Schering Corporation (New Jersey), and one additional share of the capital stock of said corporation.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All unpaid dividends declared prior to April 18, 1942 on the 43,994 shares of the common stock and on the 2,225 shares of the preferred stock of The Schering Corporation, a New Jersey corporation, which were vested by the undersigned pursuant to Vesting Order Number 4 issued by him under date of April 18, 1942, and on the one additional share of common stock of such corporation which is hereinafter described in subparagraph (b) and is vested by this order,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and

(b) That the property described as follows:

One share of common capital stock of The Schering Corporation, a New Jersey corporation, which is a business enterprise within the United States, which share is registered in the name of Julius Weitzien, a citizen of Germany, whose last known address was represented to the undersigned as being Millburn, New Jersey,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of such designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 2, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9440; Filed, September 23, 1942;
10:59 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 1 to Order 5 Under Revised Price Schedule 89—Bed Linens—Dockets 3089-3-E, 3089-4-E]

JOSEPH BANCROFT & SONS CO., INC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 and paragraph (d) of Order No. 5 under Revised Price Schedule No. 89—Bed Linens, paragraph (a) of Order No. 5 is amended and paragraph (g) is added, to read as follows:

(a) Joseph Bancroft & Sons Company, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, to Rhoads & Company, the kinds and grades of bed linens set forth in paragraph (b), at prices not in excess of those stated therein. Rhoads & Company may buy and receive, and agree, offer, solicit and attempt to buy and receive such kinds and grades of bed linens at such prices from Joseph Bancroft & Sons Company.

(g) This Amendment No. 1 to Order No. 5 (paragraphs (a) and (g)) shall become effective as of the 9th day of June, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9416; Filed, September 22, 1942;
2:18 p. m.]

[Order 23 Under Revised Price Schedule 6—
Iron and Steel Products—Docket 3006-15]

LACLEDE STEEL COMPANY

ORDER GRANTING PARTIAL EXCEPTION

On May 8, 1942, the Laclede Steel Company, St. Louis, Missouri, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition, and an opinion in support of this Order No. 23 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the au-

¹ 7 F. R. 4360.

² 7 F. R. 1215, 1836, 2132, 2153, 2299, 2997,
3115, 3941, 4780, 7240.

thority vested in the Price Administrator by the Emergency Price Control Act, and in accordance with Procedural Regulation No. 1,² issued by the Office for Price Administration, *It is hereby ordered:*

(a) Laclede Steel Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, semi-finished iron and steel products as set forth in paragraph (b) at prices not in excess of those stated therein to the Lend-Lease Administration.

(b) The maximum price which may be charged by the Laclede Steel Company on sales of semi-finished iron and steel products for the account of the Lend-Lease Administration, when such sales are made for shipment to the eastern seaboard, shall be the maximum Chicago basing point prices as otherwise established in Revised Price Schedule No. 6, f. o. b. Alton and Madison, Illinois.

(c) The provisions of paragraph (b) hereof shall apply to Lend-Lease contract DA-TPS-6781 and all subsequent Lend-Lease contracts covering semi-finished steel products.

(d) Relief requested by Petitioner on finished steel products is denied as are all other prayers in the petition except those specifically granted herein.

(e) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(f) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(g) This Order No. 23 shall become effective September 23, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9414; Filed, September 22, 1942;
2:18 p. m.]

[Order 46 Under Maximum Price Regulation
120—Bituminous Coal Delivered From
Mine or Preparation Plant—(Docket 3120-
87)]

WEIKART COAL CO.

ORDER GRANTING PERMISSION FOR
ADJUSTABLE PRICING

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,² *It is ordered:*

(a) On and after May 25, 1942, Weikart Coal Company, Washingtonville, Ohio, may carry out agreements to sell its coals in Size Groups 2, 4 and 5, produced at its Weikart Coal Company Mine (Mine Index No. 1445), District No. 4, in Columbiana County, Ohio for shipment by truck or wagon, at prices no higher than the applicable maximum prices, subject to an agreement to adjust prices upon deliveries made during the pendency of the petition in Docket No. 3120-87, in accordance with the disposition of such petition.

¹ 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5089, 5560, 5607, 5827, 5836, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896.

² 7 F.R. 971, 3663, 6967.

(b) This Order No. 46 may be revoked or amended by the Administrator at any time, and, in any event, is to be effective only to the date of final disposition of the petition.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 46 shall become effective September 23, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9415; Filed, September 22, 1942;
2:18 p. m.]

SECURITIES AND EXCHANGE COM-
MISSION.

[File No. 70-600]

CENTRAL OHIO LIGHT & POWER COMPANY
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 21st day of September, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party or parties; and

Notice is further given that any interested person may, not later than October 5, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Central Ohio Light & Power Company, a subsidiary company of Crescent Public Service Company which is a registered holding company, proposes to declare and pay out of earned surplus a dividend of \$1.00 per share to the holders of its Common Stock during the month of October, such dividend aggregating \$20,000. The application was filed by Central Ohio Light & Power Company pursuant to section 12 (c) of said Act and the Commission's Order, dated February 19, 1941 (Holding Company Act Release No. 2570)

which provides, in part, that so long as any of the First Mortgage 3½% Bonds, Series D, due March 1, 1966, of Central Ohio Light & Power Company shall be unredeemed and outstanding or until further Order of the Commission, no further dividends shall be declared or paid on said Common Stock except upon application to and approval by order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9425; Filed, September 22, 1942;
3:26 p. m.]

[File No. 1-2698]

PEARSON COMPANY, INC.

ORDER REOPENING HEARING ON APPLICATION
TO WITHDRAW FROM LISTING AND REGIS-
TRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of September, A. D. 1942.

In the matter of Pearson Company, Incorporated \$1 Par Common Stock.

Pearson Company, Incorporated pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its \$1 Par Common Stock from listing and registration on the Chicago Board of Trade; and

After appropriate notice, a hearing in this matter having been held and concluded before a Trial Examiner of the Commission on June 29, 1942; and

The application having been offered in evidence pursuant to said rule without further proof of the allegations contained therein; and

It appearing to the Commission, after an examination of the record thus far made, that the Chicago Board of Trade, a party having a bona fide interest in the proceeding, did appear and in substance object to the admission of the application in evidence as proof in support of the allegations therein; and

It further appearing that the record does not disclose proof of compliance with the requirements of said rule with respect to forwarding a copy of the application to the exchange;

It is ordered, That the record in this proceeding be reopened and that the hearing be reconvened at 10:00 a. m. on Wednesday, October 14, 1942, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, for the purpose of allowing the applicant further opportunity to offer proof in support of the allegations contained in the application and proof of compliance with the requirements of Rule X-12D2-1 (b) with respect to forwarding a copy of the application to the exchange.

It is further ordered, That Henry Fitts, or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered

to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the case and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-9424; Filed, September 22, 1942;
3:26 p. m.]

[File Nos. 54-55, 59-51]

SOUTHERN COLORADO POWER CO.

NOTICE OF FILING AND ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 18th day of September, A. D. 1942.

In the matter of Southern Colorado Power Company (File No. 54-55) and Southern Colorado Power Company (File No. 59-51).

Notice is hereby given that an amended declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and the Rules promulgated thereunder by Southern Colorado Power Company a public utility company and a direct subsidiary of Standard Gas and Electric Company, a registered holding company. All interested persons are referred to said document which is on file at the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Southern Colorado Power Company (hereinafter referred to as Colorado) proposes to consummate a plan as amended, for its reorganization and recapitalization pursuant to section 11 (e) of said Act for the purpose of enabling it to comply with the provisions of section 11 (b) (2) of said Act. The elements of the proposal are as follows:

(1) Coincident or substantially coincident, with the consummation of the plan as amended, but not necessarily as a part thereof, Colorado proposes the retirement and redemption of its presently outstanding \$6,763,400 First Mortgage 6% Gold Bonds due July 1, 1947 by the issuance and sale of \$5,500,000 of First Mortgage 3½%, 30-Year Bonds and \$1,200,000 of 10-Year 3% Serial Notes and the employment of the proceeds thereof, together with treasury cash in the estimated amount of approximately \$100,000, for that purpose.

(2) By amendment to the Articles of Incorporation of Colorado, the presently outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock will be reclassified into 452,160 shares of new Common Stock, par value \$10 per share, or a total of \$4,521,600, or a new corporation will be formed with authorized capital stock sufficient to meet the requirements of the plan.

(3) The 452,160 shares of new Common Stock, resulting from the reclassi-

fication mentioned in paragraph (2) above, will be distributed to the holders of the presently outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock as follows:

(a) 10 shares of new Common Stock for each share of 7% Cumulative Preferred Stock and all accumulated and unpaid dividends thereon. The holders of the Cumulative Preferred Stock will thus receive a total of 425,160 shares of the new Common Stock.

(b) 1/5 share of new Common Stock for each share of Class A Common Stock. The holders of the Class A Common Stock will thus receive 22,000 shares of the new Common Stock.

(c) 1/15 share of new Common Stock for each share of Class B Common Stock. The holders of the Class B Common Stock will thus receive 5,000 shares of the new Common Stock.

Under the proposed distribution 94.03% of the new Common Stock will be allotted to the holders of the old 7% Cumulative Preferred Stock, 4.87% of the new Common Stock will be distributed to the holders of Class A Common Stock and 1.10% to the holders of the Class B Common Stock. In lieu of fractional shares of the new Common Stock, scrip certificates will be issued representing such fractional shares and exchangeable, when accompanied by other scrip certificates representing one or more full shares of the new Common Stock for certificates for such full shares, but the holders of such scrip certificates will be entitled to no rights as shareholders of Colorado until so exchanged. If not so exchanged, all scrip certificates will become void in two years from the date of their issuance.

(4) The capital surplus of \$3,230,000 resulting from the reclassification of the 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock together with the earned surplus of Colorado amounting to \$364,886.62 as of December 31, 1941, will be employed as follows:

Unamortized debt discount and expense on first mortgage bonds.....	\$186,172.20
Redemption premium on first mortgage bonds—2½%.....	169,085.00
Duplicate interest on first mortgage bonds for one month.....	33,817.00
Estimated expenses in connection with the consummation of the plan.....	43,870.00
Estimated expenses in connection with the redemption of the presently outstanding bonds and the issuance and sale of the new bonds and notes.....	60,000.00
Reserve for adjustment of property.....	3,101,942.42
Total charges to surplus.....	3,594,886.62

¹ The premium on the sale of the proposed new bonds, if any, will be credited to reserve for adjustment of property.

The application states that the amended plan was filed for the purpose of enabling the applicant and the Standard Gas and Electric Company Holding Company System to meet the requirements of section 11 (b) (2) of said Act

by simplifying the applicant's corporate structure and effecting a fair and equitable distribution of voting power among the holders of its securities. The application requests (1) an order approving the plan as amended, and (2) a recital in the order approving the plan, as amended, that the contemplated distribution of the new Common Stock is necessary and appropriate to the integration or simplification of the Standard Gas and Electric Company Holding Company System and the itemization in the order of the stock which is to be reclassified, exchanged and/or distributed under the plan, as amended, (in order that no gain or loss may be recognized in such reclassification, exchange and/or distribution of stock as provided in section 371 (b) and section 371 (f) of the Internal Revenue Code).

If this Commission should approve the above plan, as amended, the applicant may, but does not obligate itself to, request this Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said Act to enforce and carry out the terms and provisions of the plan, as amended. Submission of the plan, as amended, to the company's security holders for their approval or rejection is not contemplated.

The Commission having on July 2, 1942 issued its Notice of Filing and Order for Hearing herein pursuant to sections 11 (e), 11 (b) (2), 15 (f) and 20 (a) of said Act; the said hearing having been convened on July 28, 1942, reconvened on August 19, 1942, and having been adjourned on that date until September 30, 1942, and it appearing to the Commission that said hearing scheduled to be reconvened on September 30, 1942 should be postponed until October 6, 1942 in order that adequate notice may be given as herein after provided; and it further appearing that Charles S. Lobingier who was designated as a trial examiner to preside at the hearing aforesaid will be unable to preside at said postponed hearing when reconvened;

It is hereby ordered, That the hearing previously scheduled for September 30, 1942 on (1) the plan for reorganization and recapitalization heretofore filed pursuant to section 11 (e), and (2) the proceedings previously instituted by this Commission pursuant to sections 11 (b) (2), 15 (f) and 20 (a), be postponed to the 6th day of October, 1942 and that on said date the hearing shall be reconvened at 10:00 A. M., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he is hereby designated to preside at such postponed and reconvened hearing in the place of and instead of Charles S. Lobingier;

It is further ordered, That the Secretary of the Commission shall serve notice of the postponed hearing, to be reconvened as aforesaid, by mailing a copy of this order by registered mail to the above named party, to Standard Gas and Electric Company and Standard

Power and Light Corporation, and that notice of said hearing is hereby given to all security holders of Southern Colorado Power Company, to all states, municipalities, all political subdivisions of states or foreign countries in which are located any of the utility assets of the holding company system of Standard Gas and Electric Company or under the laws of which any of its subsidiary companies are incorporated, to all state commissions, state securities commissions and all agencies, authorities or instrumentalities of one or more states, municipalities or other political subdivisions having jurisdiction over Southern Colorado Power Company or over any of its business affairs, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER:

It is further ordered, That Southern Colorado Power Company mail a copy of this notice and order at least fifteen days prior to October 6, 1942 to each of its stockholders at his last known address;

It is further ordered, That any person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission on or before October 6, 1942 a written statement relative thereto; any person proposing to intervene shall file with the Secretary of the Commission on or before such date his application therefor, as provided by Rule XVII of the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of the issues presented by the Commission's previous order of July 2, 1942 or by the pending application or declaration (or both), as amended, or by the proceedings previously instituted by this Commission under sections 11 (b) (2), 15 (f) and 20 (a) of said Act, evidence having particular bearing on the following matters will be adduced:

(1) Whether the proposed plan, as amended, filed pursuant to section 11 (e)

of the Act is necessary to effectuate the provisions of section 11 (b) of said Act.

(2) Whether the proposed plan as amended, is fair and equitable to the persons affected thereby.

(3) Whether the proposed plan, as amended, is feasible.

(4) Whether the proposed plan, as amended, should be submitted to the stockholders of Southern Colorado Power Company for their approval or rejection.

(5) Whether the proposed transactions by Southern Colorado Power Company which are incidental to the consummation of the proposed plan, as amended, comply with all the requirements of the applicable provisions of the Act and Rules.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-9423; Filed, September 22, 1942;
3:27 p. m.]

JACK LEWIS BAKER

ORDER DENYING APPLICATION FOR REGISTRATION AS OVER-THE-COUNTER BROKER-DEALER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1942.

In the matter of Jack Lewis Baker, doing business as J. L. Baker, R. F. D. No. 1, Box 412, Jacksonville, Florida.

Jack Lewis Baker, doing business as J. L. Baker, having filed an application for registration as an over-the-counter broker-dealer, pursuant to section 15 (b)

of the Securities Exchange Act of 1934; and

Proceedings having been instituted pursuant to an order of the Commission to determine whether such registration should be denied; and

The applicant having appeared and hearing having been held according to such order; and

The Commission having duly considered the matter and entered its findings and opinion herein;

It is ordered, On the basis of said findings and opinion, that the application for registration of Jack Lewis Baker, doing business as J. L. Baker, be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-9431; Filed, September 23, 1942;
9:44 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 14]

PETROLEUM IN NEW YORK CITY AREA

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I enclose a Plan for an Alternative Storage and Distribution System to Maintain the Supply of Petroleum and Petroleum Products in the Metropolitan New York City Area in the Event of an Emergency.

I hereby approve said plan for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval herein expressed, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 19, 1942.

[F. R. Doc. 42-9439; Filed, September 23, 1942;
10:37 a. m.]